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N^o. CLVI.

ART. I.—1. *Histoire du Progrès du Droit des Gens en Europe depuis la Paix de Westphalie jusqu'au Congrès de Vienne ; avec un précis historique du Droit des gens Européen avant la Paix de Westphalie.* Par HENRY WHEATON, Ministre des Etats-Unis à l'Amerique près la Cour de Berlin. 8vo. Leipsig: 1841.

2. *History of the Progress of the Law of Nations in Europe from the Peace of Westphalia to the Congress of Vienna ; with an historical notice of that Law before the Peace of Westphalia.* By HENRY WHEATON, Minister of the United States of America at the Court of Berlin. 8vo. Leipsic: 1841.

Now men are better qualified to write the History of the Law of Nations than Mr Wheaton. A lawyer, a historian, and a statesman, he unites practical and theoretic knowledge ; and he is the author of one of the best treatises on the actual state of that Law, of which in the Essay, the subject of this article, he is the historian. If we rise, therefore, from the perusal of his work with little feeling of advanced knowledge of the subject which it professes to treat—if we find that we have been reading a series of acute and interesting historical essays on the conduct of nations towards one another, in which the governing principle seems to be, to do one another in peace the least possible good, and in war the utmost possible harm—we attribute our disappointment, not to the author but to his subject. We believe that Mr Wheaton has made as much as was to be made of his materials ; and that

the want of connexion and precision, which is the defect of his work, arises from the impossibility of marking with accuracy the progress of a Law, of which it is often difficult to ascertain the existence.

The general desire of mankind that the mutual conduct of nations should be governed, or at least directed, by recognised rules—that there should be some principles to be invoked by the weak, and yielded to, without humiliation, by the powerful—has produced, indeed, a literature on international jurisprudence exceeding in magnitude that which has been employed on any other branch of the Moral Sciences. Many of the writers have been remarkable for sagacity, and almost all have been men of diligence and learning, and devoted to the subject of their labours. Has the success corresponded to the effort? Are we decided as to the elements of the science, or as to the sources in which they are to be sought for, or as to the evidence sufficient to establish them?

If every thing connected with the law of nations is vague, it may be worth while to enquire how far this indistinctness arises from the subject, and how far from the mode in which it has been treated. We hope to offer some suggestions which may assist subsequent students, or at least to give some warnings which may prevent their labours from being wasted.

For this purpose we shall endeavour to explain the objects, the limits, and the sources of the science, or rather of the sciences, to which the expression ‘the Law of Nations’ has been applied; and to point out the causes which have retarded their progress; and we shall conclude by some remarks on the advance which they have made during the period embraced by Mr Wheaton’s work.

The rules of human conduct to which the word ‘Law’ is applied, are thus classified by Locke—

‘Of the moral rules or laws to which men generally refer, there seem to me to be three sorts, with their three different enforcements, or rewards and punishments. 1. The Divine law. 2. The Civil law. 3. The law of Opinion or Reputation. If I find an action to agree or disagree with the esteem of the country I have been bred in, and to be held by most men there worthy of praise or blame, I call the action virtuous or vicious. If I have the will of a supreme invisible law-maker for my rule, then, as I suppose the action commanded or forbidden by God, I call it good or evil, duty or sin. And if I compare it to the civil law, the rule made by the legislative power of the country, I call it lawful or unlawful, no crime or a crime.’*

To express the same ideas in fewer words:—a sin is a breach

* *Locke on the Human Understanding.* Book I. Chap. 28.

of the law of God ; a crime is a breach of the municipal law ; an impropriety is a breach of the law of public opinion.

It is to be observed that Locke uses the word 'law' in two different senses. One, its etymological and primary sense—the other, metaphorical. Etymologically, law is that which is laid down ; primarily, it signifies a general command addressed to certain persons by a competent authority. Such a command is a law, whether it be or be not obeyed. The divine law and the municipal law are such commands : they are perpetually violated, but still remain laws. Metaphorically, the word 'law' is often used to express some general fact inferred from the observation of particular instances. In this sense we apply the word 'law' to the collective statement of many similar phenomena, and talk of the laws of electricity and the law of gravitation. But even in this sense of the word 'law,' there is always a reference to the notion of a command. What are called the laws of nature, are merely the qualities which the will of God has imposed on matter ; and as this will is irresistible, and apparently unalterable, we believe the laws of nature to be permanent. The instant we discover that what we have called a law of the physical world is inconsistent with existing facts, we abandon it.

Now, what Locke terms the law of public opinion, is law only in a metaphorical sense. If, from the observation of numerous individual instances, we can ascertain that certain acts are approved or disapproved by the majority of a society, we call that approbation or disapprobation a law, and say that public opinion commands or forbids the acts in question. No such command or prohibition has, in fact, been issued ; but the approbation or disapprobation of society, produces effects analogous to those which would have been produced by a real law imposed by a competent authority. A hundred years ago a man was laughed at if he went to a ball without a full-bottomed wig and an embroidered coat ; now he would be laughed at if he wore either. The same facts may be stated by saying, that the law of public opinion required embroidered coats and full-bottomed wigs a hundred years ago, and now prohibits them.

It is obvious that, in the present state of the world, no civil law exists between independent nations ;—such nations having no common superior, no common tribunal, and no common executive, can have no legal relations in the strict sense of the word 'legal.'

But as they are capable of promoting, to some extent, the welfare of one another, and of inflicting on each other the utmost extremity of suffering, it cannot be supposed that their conduct is indifferent to the Deity. Believing, as we must,* that God

commands us to promote the welfare of mankind, we must believe that this command extends to national as well as to individual conduct ; and consequently that national morality is as much a part of the Divine law as individual morality.

Again, it is clear that there exists among nations a public opinion. As far as that opinion is operative, it produces the uniformity of conduct which is the purpose of the civil or municipal law of a single state. The rules which it sanctions, therefore, are metaphorically termed ' laws.' Unhappily the public opinion of nations has often been miserably ill-informed, miserably ill-directed, and miserably weak ; but with all its imperfections, it has been one of the principal aids to modern civilization, and we trust that it is destined to perform services still more important and more extensive.

These, then, are the elements of which what is called ' the Law of Nations ' is composed ;—first, The rules of international conduct which we believe to be commanded by the Deity, and which may be called the Divine law of nations, the natural law of nations, or, more concisely, international morality ; and secondly, the rules of conduct which are dictated or permitted by the public opinion of nations, and which may be called the human, the actual, the received, or the positive law of nations. To avoid the confusion incident to the use of one word to express rules of conduct often different, both in-themselves and in their sources, we shall in future express what has been called the Divine or natural law of nations, by the term *international morality* ; and shall confine the term *international law* to the rules of conduct, whether consistent or not with international morality, which are sanctioned by the public opinion of nations.

A passage in the work of Hobbes' *De Cive*, appears, from the constant reference to it by subsequent writers, to have had an extensive influence on the theory of international morality. In that passage Hobbes affirms, that organized nations assume the personal characters of men, and consequently that there is no difference between the moral rules which ought to be observed by nations, and those which ought to be observed by individuals.* In fact, however, the analogy between nations and individuals is so imperfect, that we are seldom warranted in inferring, as to the one, conclusions which have been established as to the other.

* *Lex naturalis dividi potest in naturalem hominum et civitatum, quae vulgo jus gentium appellatur. Præcepta utriusque eadem sunt—quia civitates semel institutæ induunt proprietates hominum personales.—Imperium, cap. xiv. sect. 4.*

In the first place, the principal rules of morality among men relate to what have been called imperfect obligations, and direct what is to be done, not what is to be avoided. The negative precept, not to injure, is merged, if we may use the expression, in the positive precept, to do good. But, in the existing state of human improvement, almost all the precepts of international morality are negative. A time may come when it may be useful to inculcate international benevolence; but if we confine our efforts to attainable objects, we must be satisfied for the present with endeavouring to enforce international justice. To suppose that a nation, such as nations now are, unless with a view to enrich a customer, or to strengthen an ally, or to weaken an enemy, or to raise a barrier against a rival, or for some other selfish purpose, will actively strive to increase the power or the wealth of another, is a vision in which no practical politician can indulge. Instances may, indeed, be pointed out in which a people, too weak to excite jealousy, has received disinterested assistance. But such instances are very rare. Great must be the progress of civilization before the most sanguine international moralist can hope to do more than to diminish fraud and violence, to preserve the weak from treachery and oppression, and to prevent the strong from tearing one another to pieces.

A further difference between the morality of nations and the morality of individuals, arises from the necessity imposed on the former of self-protection. An individual is protected by the law. His cottage is not endangered by the palace which arises in its vicinity. He is not justified, therefore, in taking any measures to diminish the power of his neighbours.

But one of the best established principles of international morality declares, that, under certain circumstances, it is not only the right, but the duty of the general body of nations to prevent any one from acquiring a preponderance of force dangerous to all the others.

Again, it is now an admitted doctrine, that between individuals a contract obtained by violence is not binding. A few years ago, a Hertfordshire farmer was decoyed into a house in Southwark, in which a dungeon had been prepared for his reception, and confined there until he signed an agreement affecting his property. The most scrupulous moralist did not blame him for proceeding, as soon as he recovered his liberty, to set aside an instrument so extorted from him. But all Europe was shocked at the immorality of the statesmen who ventured to proclaim that the treaties of 1815 were not binding on France—having been wrung from her after her armies had been defeated, and her fortresses captured, and while her capital was in the possession

of the enemy. Agreements entered into by an individual while under duress are void, because it is for the welfare of society that they should be so. If they were binding, the timid would be constantly forced by threats, or by violence, into a surrender of their rights, and even into secrecy as to the oppression under which they were suffering. The notoriety of the rule that such engagements are void, makes the attempt to extort them one of the rarest of human crimes. On the other hand, the welfare of society requires that the engagements entered into by a nation under duress should be held binding; for if they were not, wars would terminate only by the utter subjugation and ruin of the weaker party. If the Allies had believed that their treaties with France were waste paper, they must have destroyed her fortresses and partitioned her territory. They ventured to leave her powerful, only because they thought they could rely on her engagements.

And, lastly, there is a marked difference in the force of the sanctions which tend to restrain immorality among men, and those which tend to restrain it among nations. These sanctions are moral or physical. The physical sanction is the fear of injury to person or to property. The moral sanction is the fear of punishment in a future world, or the loss of honour, of reputation, or of self-esteem in this. Among men, the latter of these sanctions is by far the more effectual. The feelings of religion, of conscience, of pride, and of vanity, to which it appeals, are the most powerful of human motives. It is only the outcasts of society who are kept down by the terrors of the lash, the prison, or the scaffold. But the attempt to bind nations by mere moral sanctions, is to fetter giants with cobwebs. To the greatest of human restraints, the fear of a hereafter, they are insensible. Nations, *quâ* nations, have no existence beyond the grave. Their life in this world, indeed, is of indefinite duration; but experience does not justify the belief that national crimes, except those crimes of which one part of a nation is guilty towards another, are always, or even usually, punished. The principal states of continental Europe—France, Russia, Austria, and Prussia, have grown from small beginnings to powerful and flourishing monarchies, by centuries of ambition, injustice, violence, and fraud. The crimes which gave Wales to England, Alsace and Franche Comté to France, and Silesia to Prussia, were rewarded by an increase of wealth, power, and security. Again, nations are not restrained by fear of the loss of honour; for honour, in the sense in which that word is applied to individuals, does not apply to them. In that sense, honour is a negative term. It consists in the absence of certain imputations,

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which exclude a person tainted by them from the society of his equals. Among educated Europeans, these imputations are in men cowardice and falsehood; and in women unchastity. But as a nation cannot be excluded from the society of other nations, a nation cannot lose its honour, in the sense in which honour is lost by an individual. Never has the foreign policy of France been more faithless, more rapacious, or more cruel, than during the reign of Louis XIV. For half a century she habitually maintained a conduct, a single instance of which would have excluded an individual from the society of his equals. At no time was France more admired, and even courted. At no time were Frenchmen more welcome in every court, and in every private circle. What are often called injuries to the honour of a nation, are injuries to its vanity. The qualities of which nations are most vain, are force and boldness. They know that, so far as they are supposed to possess these qualities, they are themselves unlikely to be injured, and may injure others with impunity. What they most fear, therefore, is betraying timidity, which is both an index and a cause of weakness. But timidity, which excludes a man from society, makes a nation only the more acceptable. To call, therefore, any manifestation of cowardice, however gross, a loss of national honour, is illogical. It implies the double error of applying to a nation a liability which is peculiar to an individual, and of inferring a result which, even if that liability existed among nations, would not follow from the supposed cause.

The fear of loss of reputation is, indeed, a restraint; and, among the nations that desire to be respected for justice, a considerable one. But such nations are few. Strength and courage—or, as it is usually termed, spirit—not integrity and moderation, are the qualities for which most nations desire to be admired. If they can succeed in inspiring fear, they are indifferent to hatred.

Nearly the same remark applies to the fear of the loss of self-esteem. Nations care little for the possession of the qualities for which they do not desire admiration. Their self-esteem is, therefore, little wounded by the consciousness of ambition and injustice. However aggressive or faithless the foreign policy of a government may be, it is rarely unpopular at home until it fails. Men sometimes feel remorse for successful wickedness; nations scarcely ever.

It appears, therefore, that the fear of physical evil, the fear of injury to the persons or to the properties of the members of the community, is the principal restraint on the conduct of nations. As a protection to the weak, of course, it is trifling; and the

rights of weak nations therefore, unless they acquire the advantages of strength by confederacy, are always disregarded by the strong. But when a nation perceives a probability that it will be resisted, and a possibility that it may fail, the check is powerful—more powerful, in most cases, than that imposed by the physical sanction on individuals. When an individual proposes to break the municipal law, he expects to escape detection, and he generally knows the amount of evil which, if he be detected, will follow. A nation never escapes detection, and never can estimate the amount of suffering which it may incur. The law of nations appears at first sight to resemble those of Draco. It seems to have only one punishment for every offence. But that punishment may vary from a passing inconvenience to the utmost evil that man can endure from man. It may be confined to a temporary financial and commercial derangement. It may extend to the destruction of the wealth, the institutions, the independence, the education, and even the religion of the country. The fear of these dangers generally prevents deliberate breaches of international law between great nations.*

The principles and details of international morality, as distinguished from international law, are to be obtained, not by applying to nations the rules which ought to govern the conduct of individuals, but by ascertaining, in as far as we are capable of ascertaining them, what are the rules of international conduct which, on the whole, best promote the happiness of mankind. The means of this enquiry are observation and meditation—the one furnishing us with facts; the other enabling us to discover the connexion of those facts as causes and effects, and to predict the results which will follow when similar causes are again put into operation. It is thus, by meditation on the experience of many centuries, that the wiser portion of the European nations have at length discovered the mischievousness of war. It is thus that they will in time discover the folly of commercial jealousy and of mutual restrictions and prohibitions. It is thus that they have discovered the expediency of abstaining from the plunder and wanton devastation of hostile property on land; and that they will in time discover the expediency of abstaining from such plunder and devastation at sea.

To ascertain what are the rules of international conduct which are sanctioned by the public opinion of nations, or, in other words, what is the existing international law, we must look to their public professions. Whatever the conduct of men may be, the principles which they avow are always those which public opinion prescribes. The principles, therefore, on which nations

profess to act, the rules to which they appeal, when they think it necessary to justify their conduct, form the law of nations which depends on public opinion. It differs from the Divine law by its mutability, by its silence or doubt on many subjects, its arbitrariness on others, and its positive mischief on some.

The principles and details, then, of international law, as distinguished from international morality, are to be ascertained by collecting and balancing the statements of those who, from their position, their knowledge, and their character, may be supposed best to represent the public opinion of their contemporaries.

Among these authorities, the highest respect is due to the decisions of judges to whom questions of international law have been referred. Such are Boards of Arbitration, specially appointed to decide questions disputed between independent nations. Such are the Admiralty Judges, appointed by every maritime country to decide questions of prize and salvage. Such men speak in the presence of the whole civilized world. Their judgments give to the immediate suitors affluence or ruin. A stronger responsibility can scarcely be supposed. And they have each side of every question explained and sifted by counsel. They cannot, of course, be always free from national feelings and national prejudices; and there have been occasions, as was the case in the French tribunals under the Directory and the Consulate, when their decisions have been the result of rapacity and corruption; but with all these imperfections, they afford, perhaps, the best testimony that exists as to any matter of mere opinion.

A second depository of international law is to be found in the Opinions of Jurists, given confidentially to their governments. Only a small portion of the questions which arise between states become public. Before one state requires redress from another, or resists a demand on itself, it generally acts as an individual would do in a similar situation. It consults its legal advisers, and is guided by their opinions as to the law of the case. Where that opinion has been adverse to the sovereign client, and has been acted on, and the state which submitted to be bound by it was more powerful than its opponent in the dispute, we may confidently assume that the law of nations, such as it was then supposed to be, has been correctly laid down. The Foreign Office of Great Britain contains a series of such documents, running back for centuries. A few of them have been published. Several drafts of the opinions given to Charles II. by Sir Leoline Jenkins were found among his papers, and form one of the appendices to his 'Life' by Wynne. A selection from the cases and opinions contained in our archives, would be a valuable addition to the existing materials of international law.

A third source of that law arises from the statements of Writers who have made the law of nations their especial study. It is true, that in studying the works of such writers, the reader must be on his guard against a bias towards some theory, a favourite with the author or with his countrymen; and that he is often left in doubt whether the author speaks as a moralist or as a lawyer—whether he states what he thinks that the law of nations is, or what he thinks that it ought to be. It must be recollected, however, that on a matter of mere opinion, the statement of his own opinion by an eminent writer, is not only an authority but a fact; and that it is in this manner that a large portion of the existing international law has been created, and most beneficially created. Without putting the statements of even the most distinguished text-writers on a par with solemn juridical decisions, or even with the opinions given confidentially by jurists to their governments, we think that they hold the next place.

Last comes what may be called *ex parte* evidence. This consists of the official declarations of sovereigns, the arguments used in negotiations, the resolutions of deliberative bodies, the preambles or recitals of Treaties, and generally of the statements or the admissions of interested parties. These are to be treated as such statements or admissions generally are treated by municipal tribunals. When they are against the interest of the party who makes or admits them, they are conclusive evidence as to what that party believed to be the law. Where they are in his favour, they show merely what points could be raised, and what declarations could be hazarded—they show what questions could be submitted to public opinion, not what the decision actually was.

It appears, therefore, that international morality, and international law are separated by marked distinctions.

International morality is unalterable, although it sometimes may appear to change when new circumstances, or better directed enquiries, bring to light new principles; or show the necessity of modifying those which have been previously laid down. International law is constantly changing, though with a tendency, as knowledge and civilization extend, to coincide with international morality. International morality is independent of authority. Its conclusions are, or ought to be, logical inferences from notorious facts; and can neither be supported nor weakened by approbation or dissent. International law is the creature of authority. It teaches only what is assented to, and the question as to its doctrines always is, not whether they are useful or mischievous, but whether they are or are not received. The expositor of international mo-

rality hopes to benefit mankind by showing to them what international law ought to be. The expositor of international law, by showing to them what it is.

The latter object is next in importance to the former. In the present state of the world, countries of equal, or nearly equal strength, are, as we have already remarked, desirous of mutual peace. War has become a far more expensive, and a far more dangerous game than it was two, or even one hundred years ago. Both nations and sovereigns feel that its risks more than balance the chances of gain. But the increased publicity of matters of state, the increased interest taken in them by the people of every country, and the increased influence of the people over the government—which tend to prevent wars of ambition or cupidity—tend to promote those of national vanity, or, as it is usually termed, of national honour. In every dispute, each party thinks that its honour would be tarnished if it were to yield when it has the law of nations on its side; and as each is judge in its own cause, each thinks that the law of nations is with it, on every point that appears to be susceptible of debate. In countries possessing a free Press, the national vanity, or the national anger, is inflamed by Journalists—a set of traders in excitement, who profit by the agitation which is mischievous to every other portion of the community, and whose misrepresentations nothing but the fear of immediate exposure can check. While the law to which each party appeals is in its present vague and imperfect state; and while a knowledge of its rules, as far as they may be considered as established, is so little diffused, it is impossible to prevent the frequent recurrence of international disputes, and very difficult to adjust them. But as it seldom happens that a nation intentionally violates what it believes to be that law—except, indeed, in the case of a neighbour too weak to resist—and as it is seldom that a nation thinks itself called on to resent conduct which it does not believe to be a breach of that law, it follows that if the rules of international law were full, clear, and notorious, national disputes would be rare and brief. If it be important that municipal law should be clear and well known, in order to prevent the inconvenience of private litigation, how much more important is it that the rules of international law should be ascertained and studied, in order to prevent the worst of human evils—war between civilized nations!

Having thus sketched the objects, the limits, and the sources of the two sciences, international morality and international law, which are equally comprehended under the expression ‘the Law

‘ of Nations,’ we proceed to the next branch of our subject, the causes which have retarded their progress.

Among the principal obstacles to the progress of the moral sciences have been verbal ambiguities. There is, perhaps, none which they have more impeded than the Law of Nations. Grotius, the great founder of the sciences of international morality and international law, applied to both of them the term *Jus*. Now, the word *jus* has four separate principal meanings.

First, It denotes justice—the conduct which, in all questions between ourselves and others, an impartial third person would approve as right. Thus, *jus* is defined in the Digest as *ars æqui et boni*. And, again, *Id quod semper æquum et bonum est, jus dicitur*.* In this sense it is used by Grotius, when he says, that what is properly termed *jus* consists in abstinence from what belongs to others, restitution of any improper acquisition, performances of promises, reparation of injuries, and punishment of wrongdoers.† In this sense it is opposed to *injuria*; and nearly agrees with the primary sense of the English word *right*.

A second meaning of the term *jus* corresponds with the English term *a right*; that is, a legal title or power. In this sense it is used in the well-known Roman distinction of rights—into rights of persons, or rights of things; the first, *jura personarum*, comprehending the powers which men may legally exercise over other persons, such as the *jus patriæ potestatis*, the right of a father over his offspring, *jus mariti*, the right of a husband over his wife; the second, *jura rerum*, comprehending the powers which men may exercise over property. And as these powers are most obvious when they are exercised over the property of another, the words *jus* and *right* are often employed in the Roman and the English law, to indicate a power of limited use, as distinguished from perfect ownership. Thus, *jus viæ* is a right of way over another man’s land; *jus usufructus*, a temporary and transferable right of enjoyment; *jus usus*, a temporary and intransferable right of enjoyment. In this sense of the word, Justinian ranks among incorporeal things, *ea quæ in jure consistunt*; that is to say, rights as distinguished from possessions.‡

Thirdly.—*Jus* sometimes signifies Law. In this sense it is opposed to violence; as in the fine passage in Cicero’s defence of Sextius, in which, after contrasting savage and civilized life, he traces the difference to the prevalence of *jus* or *vis*. One or the other must govern. ‘*Vim volumus extinguere? Jus valeat ne-*

* Digest, Lib. i. tit. 2. § 1-11. † Prolegomena, 8.

‡ Instit. Lib. ii. tit. 2.

'cesse est—*id est judicia, quibus omne jus continetur. Judicia displicent? vis dominetur necesse est.*'* In this sense of the word *jus*, the burning of heretics was *jus* in Spain; the use of torture was *jus* in France; the imprisonment for life of a debtor was *jus* in England. They were *jura*, not because they were *right*, but because they were *law*; that is to say, because they were rules of conduct, sanctioned by an authority having the power and the will to enforce them. In this sense, *jus* is sometimes opposed to *æquitas*. Thus, in the celebrated question between Antonius and Crassus, whether a purchaser could object to a defect of title of which he had notice—'*Jus*,' says Cicero, '*Crassus urgebat, æquitatem Antonius.*'†

In a fourth meaning, also corresponding with one of the meanings of the English word Law, *jus* signifies a body of legal institutions. Thus Justinian terms the legal institutions which are common to all nations—such as marriage, and the support of children by their parents—*jus gentium*; the peculiar institutions of Athens, *jus Atheniensium*; the peculiar institutions of Rome, *jus Romanum*, or *jus Quiritium*.‡ And Papinian subdivides *jus Romanum* into *jus civile*, consisting of laws formally enacted, and *jus Prætorium*, rules by which the Prætor supplied the defects, or moderated the severity, of what may be called the statute law of Rome.§ Even a small branch of law is termed *jus*. Thus the rules of adoption are called by Cicero *jus adoptionis*.|| The rules observed by the Augurs, *jus Augurum*.

The adjective *justum* follows most of the significations of the substantive from which it is derived. Thus, *justum* is sometimes that which is right; sometimes that which is legal—as *justum matrimonium*, a legal marriage; and sometimes a person or a thing entitled to certain privileges. Thus Cicero says, that he obtained over the Amanienses, *justam victoriam*; that is to say, a victory which entitled him to be saluted Imperator.¶ He holds that Regulus was bound to perform his promise to the Carthaginians, because it was made *justo et legitimo hosti*;**—not meaning that the cause of the Carthaginians was just, but that they were engaged in lawful hostility, and therefore entitled to rights which are denied to pirates and robbers. And, in a nearly similar sense, that *justum bellum* is a war that has been publicly declared.††

* Pro Publico Sextio, 42.

† De Off. 3, 16.

‡ Instit. Tit. 2.

§ Digest, Lib. i. § 6.

|| Pro Domo, 13.

¶ Ad. Fam. Epis. x.

** De Off. 3, 29.

†† De Off. 1.

It is unfortunate that the successors of Grotius on the Continent, whether they wrote in German, in French, or in Italian—and these, together with Latin and English, are almost the only languages in which the Law of Nations has been treated—found in each language a single word comprehending all the different significations of *jus*. In French, *droit* is right as opposed to wrong. *La justice*, we are told, *est la conformité des actions avec le droit*. Again, *droit* is a legal claim. *Les droits Seigneuriaux* are feudal rights; the *droit de visite* is the right of search. *Droit de commission* is brokerage. Thirdly, *droit* is law. *Droit* and *fait* are opposed, like *jus* and *vis*. A *docteur en droit* is a doctor of laws. And finally, *droit*, like *jus*, signifies a body of law. The canon law, is *droit canon*; the civil law, *droit civil*; the common law, *droit coutumier*.

We will not fatigue our readers with enumerations of the parallel significations of *recht* and of *diritto*. It is enough to state that each of them is used in the four different senses of *jus*—that is, to signify 1st, what is right; 2d, a right; 3d, law; and 4th, a body of law.

It is to be remarked that *jus*, *droit*, *recht*, *diritto*, in the primary sense of each, imply the idea of moral approbation, but do not imply the ideas of legal claim or legal duty. And that in all the other senses, they imply the ideas of legal claim and of legal duty, but not that of moral approbation. What is right cannot be unjust, but may often be unsupported by law. A right, a body of law, or law in the abstract, may be unjust; but to call either of them illegal would be a contradiction in terms.

On the other hand, few of the ideas denoted or suggested by these words mutually exclude one another. A plaintiff may be said to proceed *jure*, because he has justice on his side; because what he claims is a right, not a possession; because he proceeds by law, not by force; and because he invokes a given *jus* or body of law. It is obvious that a writer who has to use a term, the meanings of which are numerous, dissimilar, and yet not opposed, must be in constant danger of sliding from one meaning to another; and of drawing inferences which appear to be legitimate only because the same word is used differently in the premises and in the conclusion. *He is in constant danger of supposing that a rule is *jus*, *droit*, *recht*, or *diritto*, in the sense of law; because it is *jus*, *droit*, *recht*, or *diritto*, in the sense of justice: or that it is *jus*, *droit*, *recht*, or *diritto*, in the sense of justice; because it is *jus*, *droit*, *recht*, or *diritto*, in the sense of law. An English writer, possessing distinct words to express justice and law, is likely to under-estimate the danger of confounding them;

yet in every other language they have been confounded, and whole treatises have been bottomed on their confusion.

The example was given by Grotius. His great work was published during the 'Thirty Years' War, perhaps the most calamitous period in modern history. The sovereigns of the Continent, far more numerous than they are now, were little influenced by public opinion; and indeed, except on theological subjects, little public opinion existed. The great business of all the more eminent and more energetic portion of mankind was war. Princes sought it to gratify ambition or vanity, nobles as the only road to advancement, and the lower classes as the readiest, often indeed the only, employment that was left to them. The object of all parties seemed to be, not to conclude, but to prolong it. To obtain quarters for the ensuing winter, or an opportunity of plundering some province which had not been recently ravaged, was a sufficient object for a campaign, or even for a war. As the art of raising a public revenue was almost unknown, armies supported themselves, whether in a hostile, a friendly, or a neutral country, by requisitions, ransoms, and robbery. Sovereigns trembled before their own generals, and generals before their own troops. In some cases the seed-corn, and the labouring cattle and stock were consumed, the towns and villages were burned, famine was followed by pestilence, and what had been a rich and populous district fell back into a wilderness. To use a picturesque expression of Schillef, '*die menschen verwilderten mit der lændern*,'* men became savage like their country.

'I found,' says Grotius, 'an almost universal opinion, that in the conduct of a king or a state, nothing is unjust that is expedient—that might is right—and that to unite government and justice is impossible. I saw throughout the Christian world a license of fighting, of which barbarians would have been ashamed. I saw men rush into war for trifling causes, or for no cause at all; and I found war treated as a sanction for every crime which the maddest wickedness could perpetrate.'†

It was under these circumstances, and with these feelings, that Grotius undertook to write *de Jure Belli et Pacis*. He believed, in opposition as we have seen to the prevailing doctrine, that there exists a *jus* between nations; and believed that an exposition of this *jus*, as it exists in war and in peace, might check the progress of disorders which threatened to destroy the civilization of Europe. Grotius was a man of vast learning and

* *Thirty Years' War*, Book v.

† Proleg. 3, 28.

industry, and of very considerable acuteness; but the fame which he has acquired, and the good which he has effected, are owing much more, perhaps, to his moral than to his intellectual qualities. Candour, conscientiousness, a sense of duty often amounting to scrupulosity, indignation against fraud and oppression, and an unwearying diligence in the attempt to hold them up to public detestation, are the qualities which now interest us in his works, and must have been those which enabled them to interest his contemporaries. But he was much better fitted to persuade than to instruct; to improve the feelings of his readers, than their judgment. His defects as a reasoner, contrast painfully with his merits as a moralist. His conclusions are often independent of his premises, and the premises themselves are often a mass of words, out of which definite ideas cannot be readily extracted.

Such is his statement of the grounds on which he rests the existence of a *jus hominum naturale*. 'As man can treat similar things in a similar manner, and as he eminently desires society, it must be believed that he has the faculty of understanding and acting according to general principles; and that this faculty agrees with the things which suit the human nature. This preservation of society agreeing with the human intellect, is the source of what is properly called justice, (*jus*,) which consists in the abstaining from what belongs to another, or restoring it if in our possession, performance of promises, reparation of injury, and the infliction of deserved punishment.'

Having established—we will not say how, for we do not pretend to understand the passage which we have quoted—the existence of natural principles of justice between man and man, he infers their existence between nation and nation, and gives to them the name of *jus gentium naturale*.

He remarks, that in addition to the *jus hominum naturale*, there exists in every community a body of rules, which the community, or the ruling body of the community, has voluntarily imposed on its members. Such a body of rules he terms *jus civile voluntarium*; and finding that the conduct of nations towards

* Homini cum circa similia similiter agere norit, cum societatis appetitu eccellente, inesse etiam facultatem sciendi agendique secundum generalia præcepta par est intelligi, cui quæ conveniunt sunt humanæ naturæ congruentia. Hæc societatis custodia humano intellectui conveniens fons est ejus juris quod proprie tali nomine appellatur, quod pertinet alieni abstinencia, et si quid alieni habeamus restitutio, promissorum implendorum obligatio, damni culpâ dati reparatio, et pœnæ inter homines meritum.—(Proleg. 7, 8.)

one another, is regulated by certain usages which cannot be traced to the principles of justice, he infers that there exists also among nations a *jus voluntarium*. He divides *jus voluntarium*, therefore, into *jus civile voluntarium*, and *jus gentium voluntarium*.

The ambiguity of the word *jus* now shows itself. When Grotius speaks of the *jus gentium naturale*, he uses the word *jus* to signify justice. When he speaks of the *jus civile voluntarium*, he uses the word *jus* to signify law. But when he speaks of the *jus gentium voluntarium*, he means by *jus* neither justice, nor even law, in the primary sense of the word law. He uses that word to express a set of rules laid down by public opinion, and, as we have already remarked, called *jus*, or law, only by metaphor.

Grotius, indeed, cannot be accused of having first introduced this metaphorical use of the word *jus*; since even by classical writers *jus gentium* is sometimes, though very rarely, opposed to *aquum bonumque*, and, when so used, can signify nothing but the usage of nations. Thus, Sallust says that the attempt to try Bomilcar for a crime committed by him while ambassador, was *magis ex aequo bonoque quam ex jure gentium*.* But though Grotius did not invent it, he first employed it systematically, and set the example of using the same word to signify what is morally right, what is legal, and what is customary.

It is difficult to avoid believing, that if he had used distinct words to express these distinct ideas, he would have modified many of his conclusions. Thus his doctrine, that a monarch may be the proprietor of his kingdom and of his subjects—that he may have a right (*jus*) to subdivide his territories, and to sell, exchange, or bequeath them, wholly or in part—is true, if *jus* is used merely to express a legal right, but false, if it is used, as it is in this instance by Grotius, to denote a moral right. Again, when he holds that a foreign nation has a right to interfere in favour of the oppressed subjects of an independent sovereign, and to redress their injuries—even by war; but that subjects themselves have no right to resist the tyranny of their ruler; his distinction is founded on the circumstance that a subject, though he may have *jus* in the sense of justice on his side, cannot resist his sovereign except by a breach of *jus* in the sense of law. He compares him, therefore, to a minor, who cannot bring an action against his guardian, but whose cause may be lawfully taken up by a stranger not subject to such a personal disqualification.

A clear perception of the inconvenience of the use of the word

* Bell. Jug., cap. 39.

jus by Grotius, and that the *jus gentium voluntarium* has no legal efficacy, seems to have led Pufendorf to the opinion, that it has no efficacy whatever. He considers the *jura belli* as mere technical rules, which princes and generals, whose great amusement was war, framed for their own convenience, and to prevent that noble game from being absolutely intolerable to their subjects. The *jura pacis* he considers as depending on general morality, or as mere forms of good breeding.* If his views had been universally admitted, and he had many followers, they would have tended to perpetuate in Europe the lawlessness from which Grotius had endeavoured to rescue her.

It was long before any work on the mutual relations of nations appeared in the English language; and, in the mean time, the word *jus* had been firmly established in Latin as the general name for such relations, subject to the existing controversy, whether they did or did not comprehend a *jus voluntarium*. The English writers, if they thought fit, as they did, to translate *jus* by a single word, had to choose between right and law. Right answering to the two first senses of *jus*, and of its equivalents in French, German, and Italian—and law to the third and fourth senses. They selected law, an ambiguous term, though less so than *jus*. The consequence has been, that the relations of nations have been considered by some English writers as more definite than they really are. The expression ‘Law of Nations,’ seems to imply legal relations. It does not imply them, because the word legal is never used metaphorically; and it is only by metaphor that the rules of conduct professed by nations are termed laws; and other writers, struck by the impropriety of calling such rules laws, have adhered to the school of Pufendorf, and denied that there is any law between nations except the moral law imposed by God.

A second obstacle to the progress both of international morality and of international law, has been the uncertainty of the sources from whence they have been derived:

The principle that all rules of public and private morality, have for their object the promotion of the happiness of mankind, and are right or wrong so far as they effect or obstruct that object, was not recognized in the times of Grotius. In the absence of this simple and intelligible principle, Grotius defines *jus naturale* to be, ‘the dictate of right reason, indicating a moral impropriety or a moral necessity to be inherent in every action, according to its agreement or disagreement with rational and social

* Lib. ii. cap. 3, sec. 23.

‘nature,’* The vagueness of this definition is perhaps the explanation of the mass of citation in which what is original in Grotius lies buried. He had no facts by which to test the agreement or disagreement with rational and social nature, on which he rested the morality of actions; and was driven, therefore, to testimony as the only medium of proof.

The principle of utility, vaguely indicated by Leibnitz,† but clearly expressed and adopted by Cumberland,‡ and admitted by almost all subsequent writers as the test of international morality, has dispelled much of the mist with which the foundations of that science were obscured by Grotius, and by his immediate successors. But it was long before the real sources of international law, as distinguished from international morality, were ascertained and recognized, if indeed they can be said to be recognized even now.

Grotius believed that what he denominated *jus gentium voluntarium*—that is to say, the rules of international conduct which are generally admitted, but cannot be traced to any supposed agreement or disagreement with rational and social nature—must have arisen from some general compact between the civilized portions of mankind. He looked for the evidence as to the existence and the details of these rules, and as to this original compact, in the opinions of writers, and in the examples furnished by history, and selected them from the earlier periods of Greece and Rome, as the best times of the best nations.§

Now, in the first place, the theory of an original compact between nations, is utterly without foundation. Secondly, international law, so far as it differs from international morality, is essentially mutable. To infer the principles on which nations now profess to regulate their conduct, from those which were professed by the contemporaries of Themistocles or of Scipio, would be puerile; even if there had existed in those times an established international law. And thirdly, except the observance of treaties, and the privileges of public messengers—rules rather of international morality than of international law, and

* Jus naturale est dictatum rectæ rationis indicans actui alicui, ex ejus convenientiâ aut disconvenientiâ cum ipsâ naturâ rationali et sociali, inesse moralem turpitudinem, aut necessitatem moralem.—Lib. i. cap. 1, sec. 10.

† De actorum publicorum usu.—S. 13.

‡ Lex naturæ est propositio naturaliter cognita, actiones indicans effectrices communis boni.—Cap. 5, s. 1.

§ Proleg. 46.

acknowledged even by savage nations—it can scarcely be said that either Greece or Rome recognized any international law whatever. There were, indeed, in Greece, certain usages connected with the prevailing superstition, such as the rights of sepulture, of sanctuary, and of liberty to frequent public games; but they were rather religious than political customs. The *jus belli* of the Romans prescribed certain forms of declaring war, and forbade those who were not legally soldiers from taking part in it; but it was a mere domestic institution to prevent individuals from engaging the state in hostilities, or interrupting the plan of a campaign by unauthorized expeditions.

With the exception, which we have made, of the obligations of treaties, and the privileges of public messengers, neither the Greeks nor the Romans admitted any international rights or international duties. They attacked all whom they hoped to conquer—they wasted the territory and destroyed the habitations of those whom they thought it expedient to declare enemies. Sometimes they put to death, indiscriminately, the whole of a hostile population—sometimes they sold them all, indiscriminately, into slavery—and sometimes they made slaves only of the women and children, and massacred the men; or, according to the Roman practice, reserved them to perish in the amphitheatre, in contests with one another, or with beasts. The international law of Greece and Rome was the international law of New Zealand, with the single exception of cannibalism. The classical quotations which form the principal portion of the pages of Grotius are amusing, and even interesting; but there their merit ceases. As a means of ascertaining what the law of nations ought to be, they are useless, for that is not a question to be decided by authority; as a means of judging what it was when Grotius wrote, they are worse than useless, for they tend only to mislead. Defective and ill-directed as national feeling and national conduct then were, they were as superior to the feelings and conduct which prevailed in what Grotius ventured to term the best times of the best nations, as the feelings and actions of imperfectly civilized Christians might be expected to be to those of imperfectly civilized heathens.

Gradually, however, a school of writers arose, who perceived that rules of conduct, which derive their force from public opinion, must vary with all the changes of that opinion; and that it is absurd to infer the opinion of one age from the acts which were done, or from the sentiments which were professed, in another.

But the meritorious men who, from time to time, endeavoured to ascertain what was the public opinion of Europe as to the conduct which nations might require from one another, have,

in general, shown more diligence in the collection of materials than judgment in their estimation. The authorities on which they have principally relied have been treaties. Now, treaties are often of great value, as showing the opinion of nations as to what international law ought to be. Thus, the clauses in the treaty between Prussia and the United States of America, in 1785, which, in the event of a future war between the two powers, provided against the confiscation of the property, or the molestation of the persons of private individuals, show the opinion of those nations as to what ought to be the international law of war. Again, stipulations which prohibit an act under certain circumstances, tacitly admit its lawfulness under any but the excepted cases. Thus, the convention of 1801 between England and Russia, which provided that neutral merchant vessels, when under convoy, should not be searched for enemy's property by any but national cruisers, and then only under certain restrictions, recognized the general law, that when not under convoy they might be searched for enemy's property by privateers. Again, stipulations which require an act to be done in certain cases, admit that it cannot be demanded in any other cases. Thus, the treaties by which many nations have agreed, that under certain circumstances, and during certain periods, they will mutually deliver up persons accused of certain crimes, are conclusive evidence that, in the opinion of those nations, there is no general international law requiring all nations to deliver up all criminals. But when a treaty is regarded, as has often been the case, not merely as recognising the general law by its admissions, but as creating a new general law by its express enactments,—or as binding the contracting nations, not only as between one another, but to other nations not parties to the treaty,—such inferences are unwarranted, and their frequency is one of the many proofs of the illogical manner in which international law has generally been treated.

Another fertile source from which Jurists have derived the doctrines of international law, has been the opinions of their predecessors. During the greater part of the last century, a quotation was an argument, with little reference to the real value of the testimony adduced. We have already remarked the abuse of citation by Grotius; and though subsequent writers have avoided the error of looking for the opinions of modern Europe in those of Greece and Rome, they have copied from one another even more servilely than he did from his classical authorities. A proposition announced undoubtingly in the text, will often be found, on referring to the note, to rest on a mere chain of quota-

tion, where every link depends on the one which preceded it, and the whole hangs on Lactantius or St Augustine.

Where their premises have not been drawn from treaties or from authority, they have generally been taken from example, or, as it is usually termed, usage. But if the rules of international law were to be taken from usage, much that is now considered to be a part of that law must be rejected; and principles would be introduced far less favourable to the happiness of mankind than those which we believe now to prevail. The professions of the worst men and of the worst nations, are generally better than the practice of the best.

Thus, it is an admitted principle in international law, that all nations are to be treated as equal;—that all are entitled to similar rights, and to a similar independence, whatever be their power. But not a shadow of this equality is to be found in practice. In practice the treatment which nations receive depends on their force: the strong dictate, the weak submit, and those whose power is nearly balanced, negotiate. But as the principle, that might gives right, though always acted on, is never avowed, we venture to exclude it from the law of nations. And finding the opposite principle constantly professed, even by those whose conduct is a perpetual violation of it, we hold it to be established in theory, and hope that happier times will see it established in practice.

In fact, if the opinions of nations were to be inferred from their actual conduct, almost every crime against which international law is supposed to be directed would be sanctioned. What are the rights of Neutrals, if the conduct of all the Belligerent powers during the revolutionary wars. (and what power was not belligerent during a portion of that unhappy period?) is to be their measure? What reliance is to be placed on treaties, if their obligation is to be estimated by the respect which then was paid to them? That the business of nations is to plunder or to subjugate enemies, neutrals, or allies, and that these ends are to be effected by fraud and treachery if possible, and where these fail, by violence—that the true objects of every statesman are to increase the strength of his own country, and to weaken his neighbours—and that all means are justifiable by which either of those objects can be effected,—such are the principles of international law, which are to be deduced from the examples afforded by Continental Europe from 1792 to 1814. That these examples shook international law to its foundations must be admitted; but they did this injury, not by creating of themselves new rules, but by corrupting public opinion. In one nation on the Continent, and, unfortunately for mankind, still perhaps the most powerful

one, they seem to have utterly perverted it; and we fear that there is none in which the improvement in public morality has kept pace with the general advance in civilization. The conduct of Britain during that long struggle, bad as it was in many respects, was far less censurable than that of any of her powerful neighbours. She was sometimes insolent, illegal, and unjust. She trampled under foot law and morality; but it was for the purpose of defence, not of attack: it was in order to defend herself from aggression, or perhaps from destruction, not in order to rob or to conquer. Her crimes were those of violence, not of treachery. She alone, among the nations, kept faith. And we believe that public opinion on international subjects, is in a far sounder state in Britain than in any other of the great nations of Europe—but even in Britain it is lamentably imperfect.

We now proceed to the third branch of our subject—the progress of the law of nations from the Peace of Westphalia to the Congress of Vienna.

The most convenient mode of stating Mr Wheaton's views, will be to extract the recapitulation which closes his work:—

‘ On a general view of the progress of the law of nations since the peace of Westphalia, it appears to me—

‘ That the result has been, rather that the principles laid down by Grotius, and by the jurists of his school, have been more clearly defined and recognized, than that new laws have been established to regulate international relations.

‘ That these relations have been maintained by the general adoption of permanent missions, and the recognition of diplomatic privileges.

‘ That although the right of intervention to preserve the balance of power, or to prevent the dangers to which one country may be exposed by the domestic events within another, has been frequently assumed, yet no general rules have been discovered by which the occasions which call it forth, or the extent to which it may be carried, can be laid down; and that it remains, therefore, an undefined and undefinable exception to the mutual independence of nations.

- ‘ That the exclusive dominion over particular seas has been abandoned as a barbarous pretension—the general right to use the ocean for the purpose of navigation, commerce, and fishery, has been conceded, and the right of search limited to periods of war.

‘ That the universal right to use the Scheldt, the Rhine, and the other great European rivers, has been established as a principle of international law.

‘ That the colonial monopoly has nearly ceased, and with it the question as to the right of neutrals to enjoy in war a commerce prohibited in peace.

‘ That the slave-trade is generally reprobated as a stain on human nature, though not universally abolished in fact, or even by law.

‘ That the laws of war have been improved, and among the more civi-

like nations the usage of war have been sensibly softened; and that, although there is still some uncertainty as to the rights of neutral navigation, a conventional law has been created by treaty, which shows a manifest advance towards securing the commerce of nations which remain at peace, from interruption by those which are at war.

‘That the sphere within which the law of nations operates has been extended by the unqualified accession of the states of the western hemisphere, by the tendency of the Mahomedan powers to adopt the public law of Christendom, and by the general feeling even among less civilized nations, that there are rights which they may exact from others, and, therefore, duties which they may be required to fulfil.

‘That the law of nations as a science (*in our nomenclature, international morality*) has advanced with the advance of philosophical knowledge, and the improvement in philosophical language with our extended knowledge of the past and of the present condition of mankind, and with the variety and importance of the occasions for its application.

‘And lastly, that the law of nations, as a system of positive rules regulating the intercourse of nations, (*in our nomenclature, international law,*) has improved with the general improvement of civilization, of which it is one of the most valuable products.”*

Of the subjects of discussion thus suggested by Mr Wheaton, our bounds of course oblige us to leave many unnoticed, and to dwell more briefly than the importance of the questions, or the authority of the writer, would require, on the few which we have room to consider.

We must begin by expressing a doubt as to the accuracy of Mr Wheaton's first position, ‘That the progress of the law of nations, since the peace of Westphalia, consists rather in the recognition of the principles laid down by Grotius and his school, than in the introduction of new international laws.’ And we will support that doubt by comparing the doctrines of Grotius on some of the most important questions of international law, with those now acknowledged by Europe. We will first take the great question of the right of intervention.

‘The opinion,’ says Grotius, ‘is not to be tolerated, that the law of nations permits war for the purpose of preventing one nation from acquiring a dangerous preponderance of power over others. Where war, indeed, is just on other grounds, such a motive may decide as to its prudence; but that the fear of suffering injury should give a right to inflict it, is against all rules of equity. Such is the condition of human life, that perfect safety is not to be attained. Against dangers that are merely probable, we must take innocent precautions, and then rely on Divine Providence, without having recourse to force.”†

* P. 444.

† Lib. ii. cap. 1, sec. 17.

And in the same spirit, he maintains that even warlike preparations on the part of a neighbour are to be met, not by obliging him to desist, but by equivalent preparations on our own side.*

If this were international law, what would become of the right of intervention to preserve the balance of power? or of the right of preventing aggression by preventing the accumulation of the means of attack?

Again, he denies to a nation the right of preventing foreigners from settling in its uncultivated territory. He holds, indeed, that such a territory may be seized by occupants, provided they acknowledge the authority of the sovereign.† If no nation could legally prevent the intrusion of foreigners into its unoccupied territories, how could the maritime powers of Europe have created or defended their vast colonial dependencies? How could Spain, Portugal, and England, have appropriated and divided America? and how could Russia have extended herself from the Baltic to the Northern Pacific? With the single exception of British India, the great empires which European nations have founded in the other quarters of the globe, have been formed by first assuming sovereignty over large territories unoccupied, or occupied only by tribes held unentitled to the rights of international law, and then gradually peopling them with their own subjects. Without doubt, such a course of proceeding is open to abuse, and in fact has been grossly abused; but it is equally certain that it is sanctioned by the Law of Nations, and we believe that it ought to be so sanctioned.

But while Grotius denies the lawfulness of hostility in cases in which it is now admitted, he affirms it in cases in which it is now abandoned. Thus, he affirms that it is a just cause of war, if a nation, engaged in a just war with a third party, is denied by a neutral the liberty of military transit, whether the motive for denial be the fear of injury from the passing army, or from the other belligerent. Fear, he repeats, does not justify a denial of right, which he considers the liberty of the transit to be, and still less does the fear that a third party may take unwarranted offence.‡ He even maintains that a belligerent whose cause is just, may lawfully seize a neutral territory, if he foresees that it

* Lib. ii. cap. 22, sec. 5.

† Lib. ii. cap. 2, sec. 18.

‡ Lib. ii. cap. 2, sec. 13. Grotius seems to have been seduced into this strange doctrine by the example which he quotes from Numbers, chap. 21, of the war waged by the Israelites against the Amorites on the denial of liberty of passage, and the approbation of that war by St Augustine.

may otherwise be occupied by the enemy.* Such was the pretence on which we seized Copenhagen in 1807; but who will now venture to defend that occupation?

Perhaps there is no point on which the Law of Nations, as laid down by Grotius, differs more from that which is now recognized, than as to the treatment of criminal refugees. Grotius maintains that a nation is strictly bound either to punish or give them up; but he admits that the injured nation seldom exacts the performance of this duty, except in the cases of persons accused of political offences, or of atrocious crimes.†

It is now admitted, first, that no nation can lawfully punish or even try offences committed by foreigners in a foreign territory. Secondly, that the extradition of criminals for trial or punishment in the country where the crime was committed, is a matter of treaty, and can be required only where such a treaty exists, and then only to the extent and under the circumstances defined by the treaty; and thirdly, that political offences are precisely those to which no such treaty ought to extend. The most powerful, and the least scrupulous European nation, would scarcely venture to incur the odium of requiring the weakest of its neighbours to surrender a political offender. France does not exact this from Geneva.

We have not nearly exhausted the points of difference between the opinions supported by Grotius, and those which now constitute international law; but those which we have mentioned are sufficiently numerous and sufficiently important to justify us in holding, that the greater part of the existing international law is of a more recent date than the times of Grotius, or of his immediate followers, who may be termed his school.

We rather regret that Mr Wheaton has included in one paragraph, and apparently considered as subjected to the same principles, the right of intervention created by danger arising from the undue preponderance, either actual or possible, of a single power, and that created by inconvenience or danger arising from events occurring in the interior of a foreign country. Each of these rights is founded on a supposed danger or inconvenience—each of them sanctions hostilities against a nation willing to remain at peace. But there the resemblance ends. In the degree of precision with which they are capable of being defined and regulated—in the frequency of the occasions for their exercise—in the benefit arising from their legitimate employment—in the

* Lib. ii. cap. 2, sec. 10.

† Lib. ii. cap. 21, sec. 3, 4, 5.

evils likely to follow from their abuse—and in the amount of the temptations to such abuse, the difference is striking.

The occasions on which the right of forcible intervention, to prevent the undue augmentation of a single power, has been exercised, are comparatively rare. The internal development of the resources of a country has never been considered a pretext for such an intervehtion, nor has its acquisition of colonies or dependencies at a distance from Europe. It seems to be felt, with respect to the latter, that distant colonies and dependencies generally weaken, and always render more vulnerable, the metropolitan state. And with respect to the former, although the increase of the wealth and population of a country is the most effectual means by which its power can be augmented, such an augmentation is too gradual to excite alarm. To which it must be added, that the injustice and mischief of admitting that nations have a right to use force for the express purpose of retarding the civilization and diminishing the prosperity of their inoffensive neighbours, are too revolting to allow such a right to be inserted even in the lax code of international law. Interferences, therefore, to preserve the balance of power, have been confined to attempts to prevent a sovereign, already powerful, from incorporating conquered provinces into his territory, or increasing his dominions by marriage or inheritance, or exercising a dictatorial influence over the councils of an independent state.

Four principal occasions have occurred, since the peace of Westphalia, in which interferences for the preservation of the balance of power have led to actual war. In three of them the power restrained, or attempted to be restrained, was France—in one it was Russia.

The first was a consequence of the power acquired by Louis XIV. in the earlier part of his reign;—a power which, during the interval between the peace of Nimeguen in 1678, and the commencement of hostilities in 1688, threatened to render Europe subservient to France. That danger was averted by the league of Augsburg, the war of 1688, and the peace of Ryswick in 1697. The material power of France was diminished, and her moral preponderance destroyed; and the beginning was made of the intimate relations between England and the Continent, which have since produced so much good and so much evil.

The second produced the war of the 'Spanish Succession.' Charles II. of Spain, without descendants or very near relatives, was supposed to have—and if, in the agglomeration of states which formed his vast empire, there was any common law as to the transmission of the crown, perhaps had—the right to bequeath

his territories. In the event of his intestacy there were two claimants—the House of Bourbon and that of Hapsburg—each descended from a Spanish Princess, but each estopped by express renunciations. It was known that the affections of Charles, and, what was more important, those of his wife, leant strongly towards an Austrian candidate. Under such circumstances, France proposed to England, Holland, and Austria, a treaty of partition. The will of Charles, whatever it might be, was to be set aside. Lorraine and Bar, a portion of Savoy and of the north of Spain, Sicily and Naples, and the Spanish possessions in Tuscany, were to be given to France; Milan to the Duke of Lorraine; and to an Austrian Grand Duke the rest of Spain, the Spanish Netherlands, Spanish America, and Sardinia.

The motive of France was obvious. If the will of Charles was in her favour, she was prepared, as the event showed, to disregard the treaty, and seize the whole inheritance; if it was against her, she could enforce the treaty, and have the assistance of England and Holland in securing a large portion of it. Austria refused her concurrence, but England and Holland acceded.

It must be admitted that this transaction carried to its utmost extent the right of intervention to maintain the balance of power. Neither the interests nor the wishes of the nations who were to be distributed among the different sovereigns, were consulted. Their earnest desire was to remain united; and Charles, thinking that the validity of his will would depend on the power of his legatee,—and that France was more powerful than Austria, and, estimating at its real value the obligation imposed on France by the treaty,—bequeathed the whole of his dominions to the House of Bourbon. Louis, with that contempt of public faith, with which his country stands generally accused, accepted the perilous gift. The war by which England and Holland endeavoured to prevent this enormous accession to the power of France, was successful in one of its most important objects—the exclusion of France from the Netherlands; but the success was bought by twelve years of exhausting war, and by burthens from which Holland has never recovered, and which even now press upon England.

For many years after the peace of Utrecht, there was no single sovereign in Europe whose power was generally formidable. The importance acquired by Prussia shows the weakness of all her neighbours. With a poor disjointed territory, and a population not equal to that which now belongs to Bavaria, she was able to raise herself from an electorate to a kingdom; to de-

stroy the unity of the Empire, and what remained of force to the Imperial crown; to seize on portions of Austria and of Poland, and to be for a time the most influential state in Europe. Much, without doubt, depended on the talents of her great Elector and of her great King; but if Frederic the Second had had to deal with states resembling in power the existing great monarchies of Europe, no personal qualities would have enabled him to act as a superior or even as an equal.

The wars that intervened between the peace of Utrecht in 1712, and the peace of Paris in 1784, arose from ambition, from vanity, from commercial or colonial disputes, or from the family interests of sovereign houses; not from any general apprehension of danger from the preponderance of a single state.

Of course we do not mean to say that the desire to keep down the power of a rival was not often one of the motives to war; but it was not the principal motive; and, above all, it was not the motive assigned. To borrow an expression from Grotius, it was a '*causa belli suasoria non justificata*.' In 1778, for instance, when Prussia and Saxony made war on Austria, in order to force her to relinquish Bavaria, one motive, without doubt, was fear of danger from the increase of power which Austria would have obtained from so large an accession of territory and population. If this fear, however, had been the only motive—if Austria, for instance, had had a just claim, without any breach of international law, to the inheritance of Bavaria—we do not believe that her claim would have been opposed. But the seizure of Bavaria by Austria was an unvarnished robbery, it was an open violation of treaties to which Prussia and Saxony were parties;—these were the circumstances which gave a right to interfere, and by which, therefore, they defended their interference.*

Towards the end, however, of the last century, the power of Russia began to excite serious alarm, principally, of course, among the states which had the misfortune to be nearest to her. Towards Sweden, towards Poland, towards Turkey—in fact, on all her frontiers—she was in a course of extension, which is scarcely arrested even now. There was no period at which she inspired so much dread as during the five years immediately preceding the wars excited by the French Revolution. It is true that at that time she had not perhaps more than half of her present offensive force; but, as compared with the present, it was a period of general weakness. Great as the additions are which the last half-century has made to the power of Russia, they are

* Declaration of the King of Prussia, July 7, 1778.—Annual Register, Vol. xxx. p. 316.

probably less than those which it has made to the power of England and of Prussia. And, what is of more importance, the intrigues and wars in which the Germanic and Scandinavian powers used to waste their strength and destroy their mutual confidence, have ceased. Russia is an object of dread now; but she was a still greater object of dread in 1788, and with reason. She was at that time urging a successful war against Turkey—a war which seemed likely to be finished in Constantinople. Austria was her associate, in the hope of sharing the spoil, and Denmark was united to her by treaty. France, occupied by her own internal affairs, was incapable of moving; and Prussia, Holland, and England, contented themselves with forming the celebrated triple alliance, but showed no signs of the purpose of their union.

Sweden was at peace with Russia, and, what is very rare between contiguous countries, had not even an injury to complain of. But her rash sovereign ventured to stop the progress of Russian aggrandizement. He made an offensive alliance with Turkey, and assembled an army in Finland; and, when his motives were demanded by Russia, required that she should make peace with Turkey on terms to be dictated by himself.* In the war which followed, Sweden was unfortunate. Nothing, indeed, but the intervention of the Triple Alliance prevented her destruction. But the diversion was most valuable to Turkey, and probably enabled her to struggle on until a subsequent intervention of the Triple Alliance, which, as it did not proceed to actual war, would be here out of place, obtained for her a tolerable peace.

The balance of power had little to do with the events between the deposition of Louis XVI. and the Consulate. It was not until the resources of France were collected in the hands of Bonaparte, that their real magnitude was perceived.

In considering the wars which lasted from the rupture of the peace of Amiens in 1803, until the peace of Paris in 1814, it is often difficult to separate those which were provoked by the aggressions of France, from those in which she was assailed for the mere purpose of reducing her power. Many were of a mixed character. Such was the war with England. It is scarcely possible that England would have preferred war to the evacuation of Malta, if she had believed that there was safety in peace. And, on the other hand, her desire to put down the preponder-

* Note of the Swedish Court, 1st July 1788.—Schoell, *Histoire Abrégée*, &c., Vol. xiv. p. 84.

ance of France, would scarcely have induced her to resume arms only a year after she had laid them down, if the conduct of France in Holland, in Switzerland, and in Italy, had not afforded her a lawful pretext. The same may be said of the Coalition of 1805. France certainly had not observed the stipulations of the treaty of Luneville; but her breach of them was not of sufficient importance to have authorized a war on the part of Austria or Russia, if such a war had not been thought a favourable opportunity of restoring the balance of power. The war declared by Prussia against France in 1806, was less founded on any immediate provocation by France. The Prussian declaration* is full of reproaches, and of very just reproaches, of the conduct of France towards third parties, and of well-founded anticipations of future evil to Prussia; but contains scarcely a single precise complaint of injury actually suffered by herself.

The war on the part of Austria in 1809, was the first which can be considered as a pure intervention to restore the balance of power. The Spanish war had by that time begun to show its dangerous character; and France, anxious to avoid being incumbered by a new enemy, had endeavoured to avoid offending Austria. The Austrian Court, therefore, was forced to state, as grounds for its declaration of war,† ‘That nations were falling around her—that lawful sovereigns were torn from their subjects—and that the danger of universal subjugation threatened even the happy subjects of Austria.’

The conduct of Austria in 1813 was a more striking instance. For nearly four years she had been in intimate connexion with France. Only a year before she had by express treaty, that of the 14th March 1812, guaranteed to France her existing territories, and joined on her behalf in the invasion of Russia. But, in the mean time, the French armies had been destroyed. Prussia had turned against her, and if Austria would do so, it seemed probable that the rest of Germany would follow the example. The paper in which Austria, in the person of her emperor, declared her intention to join her enemies against her ally, maintains, in its most unqualified form, the lawfulness of attacking a preponderant power merely because it is preponderant.

That paper states that ‘Austria, in all her measures, had been directed by the principle that, as all balance of power in Europe had been destroyed by the boundless superiority of France, no

* Declaration of Erfurth, Oct. 9th, 1806.—Ann. Reg. Vol. xlviii. p. 800.

† Austrian Declaration, April 6th, 1809.—Ann. Reg. Vol. li. p. 691.

‘real peace was to be expected unless that superiority was diminished. That by one means or by another, by negotiation or by force of arms, a new state of things must be effected. That France would hear of no proposition for peace that should violate the integrity of the French empire; and that the consequent necessity of war was engraven on the heart of every Austrian.’*

It must be obvious that such interferences are matters of danger and difficulty. The sovereign against whom they are directed is, by the supposition, already so powerful as to excite the dread of his neighbours. No single one among them, therefore, can oppose him, but at the heavy penalty of an expensive and dangerous war. Recourse, then, must generally be had to a coalition; and experience has shown how difficult it is to form a coalition, or to give to it unity of purpose or perseverance.

On these grounds we found our belief that the right of armed intervention, for the purpose of preserving the balance of power, is less liable to abuse than almost any other international right.

It is not necessary to enter into a long exposition of the differences between the right of intervention which we have just been discussing, and that which is created by a supposed inconvenience or danger arising to other nations from events occurring in the interior of a country. The first is, the privilege of the weak against the strong; the second, that of the strong against the weak. The circumstances which give rise to the first are tolerably definite, and must always be evident. Those which create the second are incapable of definition, and generally incapable of proof. If we examine the statements of evils suffered or apprehended from the domestic affairs of independent nations, on which the most remarkable modern interventions have been founded, we shall find them in general too vague to be susceptible of refutation, or too frivolous to deserve it.

The evils and dangers, for instance, which Austria, Russia, and Prussia held forth to the world as a justification of the first partition of Poland, were, that the disordered state of that Republic forced them to incur expense in securing the tranquillity of their own frontiers, and exposed them to the uncertain, but possible consequences of the dissolution of Poland, and to the danger of seeing their own mutual harmony and friendship destroyed. ‘In consequence hereof,’ continues the Manifesto, ‘their Majesties are determined to take immediate and effectual

* Austrian Declaration, 11th August 1813.—Ann. Reg., Vol. iv. p. 422.

'possession of such parts of the territory of the republic as may serve to fix more natural and sure bounds between her and the three powers.*' In 1793, however, Russia 'found that her endeavours to maintain peace and quiet among her Polish neighbours had been attended with innumerable losses, and that some unworthy Polès had not been ashamed to approve the government, of the ungodly rebels in the kingdom of France. From these considerations, her Imperial Majesty, for the future safety of her empire, and for the cutting off for ever of all future disturbances, was pleased to take under her sway, and unite for ever to her empire, the territories between the Dwina and the Dniester.† The King of Prussia stated 'it to be universally known that the Polish nation never ceased to afford to the neighbouring powers frequent grounds for just resentment; and that what principally excited their serious attention, was the unceasing spirit of rebellion, and the spread of the abominable notions by which all civil, political, and religious ties would be dissolved; destructive principles more to be dreaded in a country like Poland, always distinguished by party spirit, and powerful enough to be dangerous. In order, therefore, to prevent disturbances which have often shaken her own tranquillity and endangered her neighbours, there is,' says his Prussian Majesty, 'no other means except to incorporate her frontier provinces into our states, and for this purpose immediately to take possession of the same.‡

It was the singular fate of Poland to become more and more dangerous as she became more and more weak. She was dangerous in 1772, and was stripped of half her territories. She was found still more dangerous in 1793, and three-fourths of the remainder were taken from her. Still, however, she excited alarm among her great neighbours; and, in 1795, they finally dismembered her, and, as far as in them lay, extinguished the name and the nationality of Poland.

A remarkable similarity runs through all the state papers in which this right of intervention is asserted. They generally begin by disclaiming the wish to interfere with the affairs of any independent state; they then state the inconveniences suffered by their own frontiers, in consequence of the disturbed state of

* Manifesto of the 18th September 1772.—Ann. Reg. Vol. xv. p. 252.

† Russian Ukase.—Ibid. Vol. xxxv. p. 227.

‡ Prussian Manifesto.—Ibid. Vol. xxxv. p. 229.

their neighbours; they add that the doctrines professed, and the examples held out, are subversive of the general tranquillity of Europe, and particularly of that of their own dominions; and they therefore propose to take military possession of the disturbed country, with no views of aggrandizement, but simply in self-defence.

It is seldom, however, that a nation rests its interference in the affairs of an independent neighbour on the bare ground of inconvenience or danger to herself. She generally supports her invasion by the further pretext, that it is for the purpose of redressing some injury suffered by some class, or even by some individual of the invaded nation; and she usually asserts that the interests of the class, or of the individual whose side she espouses, are those of the nation as a whole.

By far the most numerous interventions, in modern times, have been made for the benefit of individuals.

In a large majority of the nations of Europe, foreign affairs are the exclusive province of the executive. In constitutional countries, indeed, the people have acquired a right to grant and appropriate the supplies, and thus to influence the conduct of the executive; but these countries are, even now, comparatively few, and the power exercised by their assemblies operates slowly and indirectly.

There are few exceptions to the general proposition, that, during the period embraced by Mr Wheaton's work, the foreign policy of the continental nations has been guided by their monarchs. Now, it is scarcely necessary to remind our readers, that this college of sovereigns is animated by an *esprit de corps* stronger than that which unites any other equally large class in the world. Their constant intermarriages have connected them by ties of consanguinity and affinity, which constitute them one family scattered over the different thrones of Europe; their remote and inaccessible position deprives them of society, on equal terms, except among one another. The only language which they hear speaks of devotion to their interests, and even to their wishes; and, what is still more important, they are all in the presence of a common enemy, the advancing spirit of democracy. From the sixteenth century, when the United Provinces threw off the yoke of Philip II., every succeeding age has witnessed victories of democratic over royal power more and more important. The English Revolution marked the seventeenth century; those of British America, and France, the eighteenth; and, in the nineteenth, we have already seen the triumph of popular power in Spain, Portugal, France, Belgium, Saxony, and Norway. In every one of these countries, the royal power was, within

our own memory, despotic. In every one of these, the sovereign is now either a mere instrument in the hands of the representatives of his people, or, derives his influence from the accident of his personal qualities. The philosopher may know that such changes are on the whole beneficial, but no sovereign ever believed so ; or, if such were his belief, ever acted on it. Among all their mutual jealousies, sovereigns have always had a strong fellow-feeling for a king against a people. And where they have assisted the latter, they have generally done so in obedience to some overpowering motive of aggrandizement or self-defence ; or to some sympathy between their own subjects and those of their brother, which they did not think it safe to resist.

Thus, William, as Stadtholder of the United Provinces, interfered to protect the people of England from the tyranny of James II. ; but it was partly to obtain a throne for himself, partly to use the resources of England in his struggle against France ; and partly from the sympathy between the Dutch and English Protestants. If James had been a Protestant, and an enemy of France, he might have subverted the liberties of England unchecked by foreign interference.

About a century afterwards, Charles IV. of Spain and Louis XV. of France assisted our North American fellow-subjects to throw off the dominion of England ; but neither of these monarchs thought fit to ground his interference on the right to protect subjects against the oppression of their sovereign. The Spanish declaration consists exclusively of complaints of English aggressions, and rests the justice of war, on the part of Spain, on ' the absolute necessity to curtail and destroy the arbitrary proceedings and maxims of the English maritime power.' * The French Manifesto states that the King of France neither was, nor pretended to be, a judge of the disputes between the King of England and his colonies ; and that he took up arms ' to avenge his injuries, and to put an end to the tyrannical empire which England has usurped, and pretends to maintain, upon the ocean.' †

The intervention of the Triple Alliance in the Belgian revolution of 1789, was of a mixed character. The events which led to that intervention are so remarkable, their influence on the subsequent history of Europe has been so great and so permanent, and they are so little known, or, to speak more correctly, so little notorious, that we will venture to relate them at some

* Spanish Declaration of 1779.—Ann. Reg. Vol. xxii. p. 386.

† French Manifesto of 1779.—Ibid. 390.

length. Those who dislike an episode may pass over the next seven pages.

The sovereignty to which Joseph II. of Austria succeeded, differed from all other great empires in being the result, not of conquest, but succession.

‘Bella gerant alii, tu felix Austria nube,
Nam quæ Mars aliis, dat tibi regna Venus.’

In Austria Proper, and in the neighbouring provinces, which formed the ancient patrimony of the Archdukes, his power was practically absolute; but every where else it was shared with other bodies or authorities more or less powerful, and was bound by restrictions more or less binding, and more or less precise.

It is scarcely possible that an empire so constituted can enjoy internal harmony. A sovereign yields easily to the restrictions imposed by the constitution of his native country. He has been bred up to respect them; he sees that they are revered by all who surround him; and, if he perceives their inconvenience, he submits to it as the condition to which he was born. But he is not likely to feel much reverence for the institutions of communities, which, though united under his sceptre, are not parts of his nation. He probably exaggerates their evils, and undervalues their advantages. His acquaintance with them is imperfect, and is derived principally from their opposition to his will. He finds them impede his foreign and domestic policy, and interfere with his schemes of ambition and of improvement; and ends by believing them to be anomalies, which the welfare of his whole empire, and even of the portions of it which enjoy these mischievous privileges, requires to be removed. When we say *He*, we do not mean to imply that such feelings are peculiar to a monarch. They belong to every sovereign power that has to deal with institutions differing from those of the metropolis. The English government, from the time that the Revolution defined the constitution, has adhered to that constitution more faithfully than any government that the world has ever seen. But it has never respected any independent legislature. The separate parliaments of Scotland and Ireland were never allowed free liberty of action, or even of resistance. It was only after their legislatures had been incorporated with that of England, and united in one aggregate imperial parliament, that those countries were governed constitutionally. Such an expedient has been supposed, and perhaps with truth, to be inapplicable to the British colonies. The consequence has been, that the legal rights of those colonies have been perpetually violated. Those which

were strong enough were driven to separation—those which adhered to us in that great contest, or which we have subsequently acquired or founded, are either denied constitutions, or, if the local authorities oppose the will of the imperial parliament, find their constitutions changed, suspended, or annulled.

When such has been the conduct of the English government, a government, in general, scrupulously legal—when it has been adopted not occasionally, or under the influence of a single party, but systematically, under Whigs as well as under Tories, under a reformed as well as under an unreformed House of Commons—no one can wonder that it was not avoided by Joseph II. In no part of his vast heterogeneous dominions was his power so limited as in the Netherlands. The institutions of the different provinces were various, but in all the ruling principle was that of an aristocracy, or of an oligarchy, rather than that of a monarchy. They had been wrested from the ancient dukes and counts by the nobles and by the clergy, and seemed to have been formed on the principle, that the enemies to be opposed were the sovereign and the people. Education was in the hands of a clergy of immense wealth, fiercely intolerant, devotedly subservient to Rome, and so ignorant, that up to the time when Belgium became part of France, the university of Louvain taught that the sun goes round the earth. Justice was administered by hereditary seigniorial courts, deformed by torture and by secret procedure. The supplies were annually voted by the States, and, as if to keep them in opposition, no officer of the government was allowed a seat in them. The population was numerous and rich, but ignorant, superstitious, blind instruments of the nobles in the villages, of the corporations in the cities, and of the priests in both town and country.

Such a state of society offered great temptations to a reformer, and at the same time opposed to him obstacles almost insurmountable. Joseph's own character added force to the temptation and to the difficulty. He was urged to the attempt, and disqualified from effecting it both by his virtues and by his defects. If he had possessed less public spirit, less zeal for the welfare of his subjects, less contempt for ignorance, or less hatred of intolerance, he might have been satisfied to remain the prince of an unenlightened, unadvancing, but, on the whole, obedient people. He found them loyal to the House of Austria, and they would have continued so if he had attempted no improvements. On the other hand, if he had had less vanity and less presumption, or more knowledge of mankind, he would not have fancied that, by the mere assumption of absolute legislative authority, he could abolish constitutions which had endured for centuries. He

would not have believed that an aristocracy would give up their legal jurisdiction, or a clergy surrender the education of the people, in obedience to an imperial edict. He would not have believed that, by a mere expression of his will, he could force a bigoted Catholic population to tolerate heresy, and to submit to the suppression of their convents, their processions, and their feasts. And, if he had had more justice, he would have felt that, admitting all his changes to be improvements, they were crimes when founded on usurpation.

It is a remarkable proof of the folly of the monarch, and of the submission of the people, that Joseph began his reforms by innovations in matters of religion, and that for several successive years those innovations were submitted to. He succeeded to the sovereignty of the Netherlands in November 1780, and in July 1781 made his public entry into the capitals of the different provinces, and swore to observe their different constitutions. Only four months afterwards he published his edict of toleration, which allowed Protestants (including under that name the Lutheran and Calvinistic persuasions) to erect churches, and admitted them to the universities and to all civil privileges and offices. The provincial estates, the bishops, and the universities, remonstrated; the university of Louvain declared, that 'toleration is the parent of dissension, since the Catholic religion holds all heretics devoted to damnation—a doctrine which it has always taught, and always must teach.' *

Within a few months afterwards, further edicts required the Catholic clergy to solemnize mixed marriages, and declared that the sons of a Protestant should be educated as Protestants. Further edicts in 1781, 1784, and 1785, forbade the Bishops from appealing to the Pope; placed their episcopal administration under the control of the imperial government; and finally deprived them of jurisdiction with respect to marriages. Between 1783 and 1786, the greater part of the monasteries and nunneries, and many of the abbeys and canonries, were suppressed; and in 1786 the distribution of the parochial clergy, and the boundaries of their parishes, were altered, and changes were made with respect to the right of patronage and the qualifications of candidates. Having thus offended the prejudices, and injured the interests of the universities, the bishops, and the regular and secular clergy, the Emperor proceeded to attack the religious feelings and the amusements of the whole body of the people. He forbade religious processions and pilgrimages, the favourite recrea-

* Jaussen, *Histoire des Pays Bas*.—Vol. ii. p. 404.

tions of that part of the community, which, having but few pleasures, can ill afford their diminution ;—recreations too, which, uniting the enjoyments of society, of music, of exercise, and often of fine scenery, to a feeling of religious merit, are attractive to a Catholic population in a degree which a Protestant can scarcely estimate. And lastly, he abolished the *Kermess*, a festival which, ever since Belgium was Christian, and probably long before, had been an annual season of enjoyment and festivity.

All this was submitted to. There can be no doubt that it excited the hostility which subsequent outrages inflamed into insurrection ; but there was no open resistance until the promulgation of the edicts of January 1787. By these edicts the Netherlands were constituted a province of the Austrian monarchy, and divided into nine circles, subdivided into districts. The circles were to be governed by intendants appointed by the Austrian sovereign, and the districts by commissioners appointed by the intendants. All the ancient courts of justice were suppressed, and new tribunals with new forms of procedure, in which foreigners were to preside, were substituted. The old constitutions were in fact abolished.

Under such circumstances, the States of Brabant refused to vote the annual supplies. It is unnecessary to say more as to the events of the remainder of that year and of 1788, than that Joseph, after having appeased his Belgian subjects by revoking the edicts of 1787, was mad enough to renew the contest by an attempt to change the education of the candidates for holy orders ; the result of which was, that in November 1788 the Tiers Etat of Brabant again refused the supplies, and their example was followed by all the three estates of Hainault. In January 1789, Joseph issued an edict abolishing the estates of Hainault, and declared that he would in future govern that province as a conqueror. In February he abolished the Tiers Etat of Brabant, and as the two other orders, the clergy and nobles, refused to act in the absence of the Tiers Etat, on the 18th of June (about three weeks before the storm of the Bastille) he annulled the whole constitution of Brabant, and converted the government into an absolute despotism.

The immediate consequence was a large emigration, who found shelter within the Dutch frontier, organized there a considerable force, re-entered Flanders in October, and gave the first impulse to an insurrection which, before the end of the year, forced the Austrian authorities and the Austrian soldiers to abandon the whole country, with the exception of Luxemburg and Limburg. The revolted provinces, nearly co-extensive with the present kingdom of Belgium, declared their independence, and on the

10th of January 1790, formed themselves into a federal republic, under the title of the United^{*} Belgic States.

Up to this time the Belgian opposition had enjoyed the sympathy of Europe. They had resisted great and manifest wrong, and had resisted it with courage and forbearance; and, what was of more importance, Joseph was the object of universal dislike and fear. Absolute governments disliked his innovations, free governments his despotism; and all Europe dreaded his unscrupulous and insatiable ambition. The governments with whom he was most unpopular were those connected by the Triple Alliance. Prussia had just wrested Bavaria from his grasp, at the expense of a serious war; and appeared on the point of being forced to the same extremity to prevent his dismembering Turkey. England and Holland had complained that he had violated the Barrier Treaty, and broken the engagements which were the price for which Belgium had been annexed to Austria. The scheme, which twenty-five years afterwards was executed, of substituting for the Barrier Treaty the annexation of Belgium to Holland, was seriously contemplated by England and Prussia, and earnestly desired by Holland. Deputies from the insurgent provinces were received at each of the three courts, and Holland even allowed the revolutionary army to be assembled and organized within her territory. But within a few weeks after that army had entered Brussels in triumph, the fears, the wishes, in short, all the political views of the three powers, were altered. Joseph was dead, and a well-deserved confidence was placed in the justice and moderation of his successor. Leopold withdrew public sympathy from the insurgents, by renouncing all the usurpations of his predecessor. The united Belgian provinces showed their unfitness for self-government by internal dissension; their folly and injustice by a wanton invasion of Limburg; and their weakness by its disgraceful failure; and, above all, the rapid progress of events in France rendered established governments unwilling to give further aid, or even countenance, to a revolution. Under such circumstances, the ministers of England, Holland, and Russia, at the Congress of Reichenbach, declared, on the 27th of July 1790, their determination to take such measures as might be necessary to replace the Belgian provinces under the Austrian government, but with the enjoyment of their ancient constitutions.* For this purpose, a congress assembled at the Hague in^{*} September 1790, consisting of ministers from the four courts and of deputies from the insurgents. Its first act was to require from each party the im-

* Marten's *Recueil*, Vol. iii. p. 74.

mediate cessation of hostilities. The Belgians were mad enough to refuse; and the consequence was, that the Austrian troops advanced, overcame with ease a resistance no longer supported by public opinion, and, in the beginning of December, were in military possession of the whole country. The congress, however, continued its labours; and, on the 10th of December 1790, a convention was signed by the ministers of England, Holland, Prussia, and Austria, by which Austria confirmed to the Belgian provinces their respective constitutions as they had existed at the accession of Maria Theresa; and the three mediating powers guaranteed to Austria the sovereignty over the provinces, and to the provinces the enjoyment of their constitutions. This convention Leopold refused to ratify, unless the death of Maria Theresa were substituted for her accession, as the period from which the constitutions were to be restored. The alteration of treaties, after they have been signed by competent public agents, has always been opposed by England. She refused her assent to the proposed modification, and the convention therefore remained unratified.

Great importance has been attached to the failure of this mediation. An eminent historian seems to have thought that, if Leopold had ratified the convention, and thus obtained the guarantee of England, Belgium might have been preserved to Austria.* But, in fact, a train of events was then in progress which must have separated Belgium from Austria, whatever had been, in this respect, the conduct of Leopold. It was no want of assistance from England, Prussia, or Holland, that occasioned the loss of Belgium. Their common interest in keeping France from the Rhine, was a stronger motive than any guarantee; and if their efforts, and those of Austria, had been seconded by the Belgian people, it appears to us possible, we are inclined to say probable, that they might have succeeded, and the subsequent calamities of Europe might have been averted. France might have escaped the intoxication which necessarily followed her early victories and conquests. Instead of fancying herself irresistible, and therefore rushing into war with England and Holland, she might have contented herself with repelling attack, and turned her attention to the reconstruction of her government. But when the Belgian provinces, provoked, it must be owned, by intolerable injuries, threw off their allegiance to the house of Burgundy, they destroyed their only principle of cohesion, and their only source of national feeling, and of the exertions and sacrifices to which national feeling is the stimulus.

* Coxe's *House of Austria*, Vol. iii. p. 698.

They split at once into separate municipalities, without a common history, a common dynasty, a common interest, or, in fact, a common country. For the few months that intervened between the expulsion of the Austrians, in December 1789, and their re-entry, in December 1790, they enjoyed, indeed, self-government, and wasted it in dissension and civil war; but from that time, till 1830, their influence over their own fortunes ceased. The battle of Jemappes made them French; the battle of Neerwinden restored them to Austria; the battle of Fleurus returned them to France; the battle of Paris placed them at the disposal of the Allies; and a protocol of half-a-dozen sentences presented them to Holland.*

The diplomacy of Austria, Prussia, and Russia, and the arms and diplomacy of France and England, have now erected Belgium into an independent state. The intervention, however, by which that event was accomplished, though in its form an intervention between the King of the Netherlands and his subjects, scarcely belongs to this branch of international law. The object of the intervening powers was not to promote the interests of either of the contending parties. Neither party, indeed, received much sympathy. The King of the Netherlands had not governed constitutionally; not one of the limited monarchs on the Continent had done so. It requires centuries of experience to convince such a sovereign, or his ministers, that the existing constitution ought to be superstitiously observed, whatever may be the immediate convenience of breaking through its restraints. But in spite of the irregular acts of the administration, the people had enjoyed a degree of liberty and prosperity unexampled during any previous portion of their history. Europe did not hold them justified in risking these substantial advantages, and exposing to chance the future destinies of their country, by rising against a government which, with all its faults, was believed, whether truly or falsely we will not at present decide, to have been among the best on the Continent. But it was obvious that, if the contest were prolonged, it would occasion an European war—a war which must have overthrown the recently elected dynasty of France, and have produced extensive mischief to every other portion of Europe. The five powers, therefore, interposed, not for the sake of the people, which they erected into a new state, but purely for their own preservation. That Belgium may continue independent, must be the prayer of every enlightened statesman. The freedom of her institutions, the general prudence of her government, and the admirable sys-

* Schoell, *Abrégé des Traités*, Vol. x. p. 534.

tem of railroads, which has given to her territory a compactness and a facility of intercourse unequalled on the Continent, afford reasonable grounds for hoping that this prayer may be granted. But many years must elapse before the Belgians can form a real nation—before they cease to be a mere aggregate of communities, separated in many instances by mutual dislike, and in all by mutual jealousy; and kept together only by the pressure of the great monarchies which have assumed the control of their destiny.

The treaty of 1827, by which the Kings of England and France, and the Emperor of Russia, agreed to put a stop to the civil war between the Porte and the insurgent inhabitants of Greece, was perhaps, as far as France and England were concerned, the most disinterested interference of sovereigns in behalf of a people that has occurred in modern times. They were impelled, however, by a sympathy on the part of their own subjects with the Greeks, which the number and the force of its causes rendered irresistible. The long duration of the contest—the ferocity with which it was carried on by the Turks—the apparent success of Greece against her gigantic enemy until she was crushed by the invasion from Egypt—the fear of having to witness the utter extirpation of a Christian population by Mahometans, that Christian population being the descendants of those to whom the world owes its civilization;—all these were motives which it would have been hard to withstand, even if the interference had been matter of difficulty or danger. But the three powers did not choose to assign these as their exclusive, or even as their principal motives. They expressed, indeed, a wish to stop the effusion of blood, but they justified their interference by ‘the interest of the repose of Europe, and the impediments which the contest threw in the way of European commerce, and the piracies which it occasioned, exposing the subjects of the high contracting parties to considerable loss, and rendering necessary burthensome measures of protection and repression.*’ To arrest these evils they required each party to consent to an immediate armistice; and, to prevent their recurrence, they proposed that the Turks should evacuate Greece, but that Greece should remain a dependency of Turkey, paying to her a tribute, and governed by local authorities, elected indeed in the country, ‘but in the nomination of whom the Porte should have a defined right.’

* Treaty of London for the pacification of Greece, 6th July 1827.
—*State Papers*, 1826, 1827, p. 635.

The narrowness of the ground assumed by the contracting parties, gave to the Porte the barren advantage of having the best of the argument. It answered, and with truth, that the presence of any serious injury inflicted on France, England, or Russia, by the war, was absurd; and that it was equally absurd to suppose, that troubles existing in a single corner of the vast Ottoman empire could be communicated to other European countries; but that, even if this were the case, each power ought to punish its own seditious subjects, and the Porte promised not to interfere in their behalf. On the other hand, it required to be allowed to deal with its own subjects according to its own laws;—asking no assistance for itself, and trusting that its friends would give none to its enemies.*

The three powers replied by sending a fleet, which, after blockading the Turkish armament in the Turkish harbour of Navarino, entered the port in line of battle, and moored their vessels alongside of the Turkish ships, but, according to their own statement, ‘with no hostile intention.’ The Turks, however, after allowing them to pass the batteries and take their position, ‘committed the aggression’ (to use the language of the European Admirals) ‘of firing on them,’† and met with the usual fate of a Turkish fleet in such a contest—utter destruction.

The naval force of Turkey having been thus destroyed, a French army entered Greece, drove out the Turkish troops, and left the country to enjoy the degree of independence which it might suit the interests of the three great powers, which had taken the management of its affairs, to confer on it.

We have seen how timid has been the interference of princes on behalf of subjects against their sovereign; but when the case has been reversed, and the sovereign has been the party to be assisted, it has seldom been thought necessary to disguise the real motive, or to defend the interference on pretended grounds of self-defence. This may be seen by a short notice of the principal interventions of this kind which Mr Wheaton has mentioned.

The first is that of the King of Prussia, in 1787, in support of his sister and of his brother-in-law, the Stadtholder of the United Provinces. The popular party, which has always been powerful in those provinces, especially in Holland Proper, the most important among them, had been for some years actively endea-

* Manifesto of the Sublime Porte, 1827.—*State Papers*, 1042.

● Declaration of the Admirals after the action of Navarino.—*Ibid.* 1051.

vouring to restore the republican government, which had prevailed during the best periods in their history; or, if a Stadtholder were retained, to limit his power. As early as the beginning of 1785, Frederic the Great had required the States-general 'to maintain the Prince-Stadtholder in the full enjoyment of the prerogatives which were the rightful attributes of his person and family.'* In 1784 he repeated his requisition, 'freely confessing that he was not perfectly acquainted with the internal constitution of the republic; but holding it evident that, as the States-general had irrevocably deferred to the father of the Prince of Orange, for himself and his heirs, the Stadtholdership, with all the rights and prerogatives thereto belonging, such rights and prerogatives could not be recalled without his consent;' and ending with a declaration, that 'though he did not presume to meddle in the private affairs of the States, or to encroach on their freedom, he never would tamely suffer the Stadtholdership to undergo any alteration.'† These remonstrances and menaces were ineffectual. The States of Holland deprived the Prince of the command of the army, forbade the use of Orange colours, and, what seems to have been the bitterest of all insults, allowed the Pensionary of Dort to drive through the gate at the Hague, which had never before been open to any carriage except the Stadtholder's. The Prince retired to Guelderland, to be in the neighbourhood of the Prussian territories. His wife, however, who was always a vehement but unfortunate politician, resolved to support her husband's interests in person at the Hague. She was stopped on her arrival at the frontier of Holland, near Schoonhoven, on the 28th June 1787, and forced to return. Frederic the Great was dead; but his successor, Frederic William, the brother of the princess, considered, to use his own language, this injury to the princess as an insult offered to himself, and demanded immediate and suitable satisfaction.‡ The terms of this satisfaction were afterwards stated to be a written apology, the punishment of those who had stopped the princess, and an invitation to her to come to the Hague as negotiator for her husband. The States were ready to apologize, but not to admit that the act was illegal, or that those who effected it were punishable. The result was, that on the 17th September 1787, a Prussian army, commanded by the

* See his letter to the States-general of the 21st January 1783, quoted in his letter of 1784.—*Ann. Reg.* Vol. xxvii. p. 720.

† *Ibid.* p. 322.

‡ Prussian Memorial, 6th August 1787.—*Ann. Reg.* Vol. xxix. p. 278.

Duke of Brunswick, then the most celebrated general in Europe, entered Holland, and by the 10th of October was in possession of Amsterdam: The Prince of Orange was restored to his full powers of Stadtholder, and declared to hold them, not as formerly, by a separate delegation from each province, but as the fundamental institution of the confederacy; * and England and Prussia engaged to maintain that form of government against all attacks, of whatever nature they might be.†

The standard of international morality is still low in England; but it certainly has risen since 1787. If such events could now occur, no British House of Commons would address the Crown in such terms as these:—‘The rapid and brilliant success of the Prussian arms, under the conduct of the Duke of Brunswick, affords us peculiar satisfaction, both as it was the means of obtaining the reparation demanded by the King of Prussia, and as it has enabled the Provinces to re-establish their lawful government.’‡

There can be no doubt that the rapid and brilliant success of the Prussian arms, which excited such satisfaction in the British Parliament, had much to do with the subsequent misfortunes of Europe. Five years afterwards, a more important member of the college of sovereigns than the Stadtholder was threatened with deposition; and the Emperor of Germany had to redress injuries to his brother-in-law and sister, more serious than those which the King of Prussia had avenged by the subjugation of Holland. The precedent set in 1787 was blindly followed in 1791; and the right of sovereigns to mutual support against nations, was again nakedly professed by the Convention of Pilnitz. In that memorable document, the Emperor and the King of Prussia declared that they ‘looked on the situation of the King of France as an object of common concern to all the sovereigns of Europe, and that they trusted that none of the powers would refuse to employ the most efficacious means to enable the King of France to consolidate, in the most perfect liberty, the basis of a monarchical government suitable to the rights of sovereigns, being themselves determined to act speedily, with necessary force, to obtain their common end.’||

* Act of Guarantee of the 17th June 1788.—Ann. Reg. Vol. xxx. p. 218.

† Treaties of the 25th April 1788.—Ibid. p. 273.

‡ Address of the House of Commons, November 9, 1787.—Ibid. p. 268.

|| Convention of Pilnitz, Aug. 21, 1791.—Ibid. Vol. xxxiii. p. 190.

The first result of this convention was a declaration of war, by France, against Austria; * and by Prussia against France.†

The joint Manifesto of Austria and Prussia breathed the spirit of the convention of Pilnitz. It declared that the supreme authority in France, being never-ceasing and indivisible, the King could neither be deprived, nor voluntarily divest himself, of any of the prerogatives of royalty, but was obliged to transmit them entire to his successors; that the Allied sovereigns did not mean to interfere with the internal administration of France, but that they were determined to re-establish in it order and public security; and finally, to procure to the King perfect safety, until he could enjoy the satisfaction of seeing his subjects repent, and of finding them submissive to his supreme authority. ‡

The Prussian armies were again confided to the Duke of Brunswick; and it was supposed that the general who had overrun Holland in a few days, would be in Paris, at the farthest, in as many weeks.

Mr Wheaton's view of these events agrees with our own. He rejects as mere pretences the other grounds—grounds which we have not thought worth enumerating—which were assigned, by Austria and Prussia, as justifications of their coalition against France. He states truly that they made war in order to re-establish Louis XVI. But when he adds, 'that the causes which led England to abandon the system of neutrality which she had adopted in this war of principles, are to be found in the diplomatic correspondence and the Parliamentary debates of 1792,' || he uses expressions which do not appear to us to be borne out by the facts. The war in which England became entangled, and of which she ultimately bore the principal burden, was not in its origin, on her part, a war of principles. It was a war founded on the ordinary motives of war—ambition on the part of France; and on the part of England self-defence, joined to a determination to enforce the obligations of treaties, and to preserve the balance of power. It is true, that after the exercise of the royal functions had been withdrawn from Louis XVI. on the 10th of August 1792, Lord Gower was withdrawn from Paris; but the letter of recall contained a declaration, that England would maintain her neutrality in every thing regarding the internal affairs of France. It is true, also, that the executive council which formed the provi-

* April 21, 1792.—Ann. Reg. Vol. xxxiv. p. 203.

† July 24, 1792.—Ibid. p. 225.

‡ Austrian and Prussian Manifesto, Aug. 4, 1792.—Ibid. p. 236.

|| P. 271.

sional government of France, was not formally acknowledged by England; but this circumstance did not interrupt the intercourse between the two governments until a few days before they were actually at war. And if France had adhered to the enactments of her existing constitution—if she had renounced all war for the sake of conquest*—she would have had nothing to fear from British interference. We must, indeed, have despised the folly and detested the wickedness of her factions; but our contempt and our abhorrence would have been exhaled in the harmless form of speeches and addresses. But the ignorant and unprincipled men, to whom the 10th of August gave temporary power, carried into the foreign affairs of France the habits of violence and fraud acquired during the previous three years of revolution. They appear to have been almost unconscious of the existence of international faith, or international law. Without assigning any pretext, except that the King of Sardinia, commanding the passage of the Alps, might in time have become a dangerous enemy,† they overran Savoy, and converted it into the French department of Mont Blanc. Having obtained military possession of Belgium, they subverted all its institutions, and were preparing to incorporate it with France. They opened the navigation between the Scheldt and the sea, which, by the stipulations of treaties with Holland, of which England was the guarantee, was always to remain closed. These stipulations, indeed, ought never to have been required by Holland, or sanctioned by England. They deprived mankind of one of the great highways of nature, merely for the purpose of enriching Rotterdam and Amsterdam at the expense of Flanders and Brabant. But they were contained in treaties to which France was a party, and which she could not abrogate at pleasure. The Convention published the well-known decree of the 19th November 1792, offering fraternity and assistance to every people desirous of recovering its liberty; and, as a supplement to that decree, ‘the French nation declared that she would treat as an enemy the people which, refusing to accept or renouncing liberty and equality, should wish to keep, to recall, or to negotiate with its prince or its privileged castes.’ And France promised and engaged herself not to sign a treaty, or lay down her arms, until the independence of the people into whose territory she had once penetrated,

* Constitution of 1791, § 16.

† See the Speech of Lebrun, Minister for Foreign Affairs, Sept. 15, 1792.

should be confirmed, and popular government, freedom, and equality established there.*

And in order to direct this measure pointedly against England, a member of the government, Monge, the minister of marine, in an official communication to the seaports of France, declared, that the French 'would fly to the succour of the English, would make a descent on the island, would lodge there fifty thousand caps of liberty, plant there the sacred tree, stretch out their arms to their republican brethren, and the tyranny of the government would be destroyed.' *

These were acts which must have produced remonstrance from England; and, if that remonstrance had been unattended to, would have justified war whether France had been governed by a Convention or a King. The King's speech, on the opening of the session in December 1792, expressed uneasiness at the intention apparent in France to excite disturbances in other countries, to disregard the rights of neutral nations, to pursue views of conquest and aggrandizement, and to adopt towards our allies—the United Provinces—measures conformable neither to the law of nations, nor to the positive stipulations of existing treaties; and stated that some augmentations had been made to our naval and military force.† An Order in Council was issued, prohibiting the exportation of wheat; and two acts were passed, one subjecting aliens to restrictions nearly the same as those which are now usual on the continent of Europe, the other prohibiting the circulation in England of French assignats.

None of these were acts of hostility; but, taken together, they showed that the English government believed war to be probable. M. Chauvelin, who had been accredited by Louis XVI., and still resided in London, though without fresh credentials from his existing government, demanded, in the name of the executive council of the French Republic, whether France ought to consider England as a neutral or an enemy.‡ Lord Grenville, then Foreign Secretary, after remarking that the government by which M. Chauvelin had been accredited had ceased to exist, stated that England saw, in the decrees of the Convention, the declaration of a design to encourage revolt in all neutral countries—that she would never consent that France should arrogate the power of annulling, at her pleasure, solemn treaties,

* Decree of the 15th Dec. 1792.

† Ann. Reg. Vol. xxxiv. p. 167.

‡ Note of 27th Dec. 1792—Ann. Reg. Vol. xxxiv. p. 114.

guaranteed by all the powers of Europe—and further, that England, adhering to the maxims which she had followed for more than a century, would never see with indifference that France should make herself, directly or indirectly, sovereign of the Low Countries.*

The French reply denied that the decrees were to apply, unless in the sole case of the general will of a nation, clearly and unequivocally expressed, calling the French nation to its assistance and fraternity;—that the rights of nature authorized them to open the Scheldt, which had been closed against Belgium by treaties made by a master, who sacrificed the inviolable rights of his subjects in order to secure his own despotism;—that France renounced conquest, and that her occupation of Belgium should continue only during the war, and until the Belgians could be independent and happy. If these explanations were insufficient—if France were still obliged to hear a haughty language, and hostile preparations were continued in the English ports, she would prepare for war. †

Lord Grenville replied that these explanations *were* insufficient; and that to threaten Great Britain with war, because she judged it expedient to augment her forces, was a new ground of offence.‡ And a few days afterwards, on receiving the news of the execution of Louis XVI., he intimated to M. Chauvelin, on the 24th of January 1793, that his functions being entirely terminated by the death of the King whom he represented, he must leave the kingdom.

On the 1st of February following, France declared war against England on the following grounds:—‘ That the King of England had persisted in giving proof of his being ill-disposed towards the French nation, and of his attachment to the coalition of crowned heads.

‘ That he had recalled his ambassador from Paris, and refused to acknowledge the ambassador from the French Republic.

‘ That he had impeded the purchase of corn in England by French-citizens, or by the agents of the Republic.

‘ That he had prohibited the circulation of assignats.

‘ That he had subjected Frenchmen in England to inquisitorial and vexatious forms.

‘ That he had given protection and pecuniary aid to emigrants.

‘ And, finally,

* Note of 31st Dec. 1792.—Ann. Reg. Vol. xxxv. p. 116.

† Note of the French Executive, Jan. 7, 1793.—Ibid. p. 119.

‡ Note of the 18th January 1793.—Ibid. p. 125..

‘ That he had augmented his naval and military forces.’ *

Many wars have been *undertaken* on motives as inadequate as these. But, since the invasion of Holland by Louis XIV. in 1672, there is not, perhaps, a single case in which such frivolous grounds have been *assigned*.

The dominant faction in the Convention seems not merely to have been eager for war, but eager to be the first to declare it, and to have feared that a few weeks' delay would produce the declaration from England. For, even if we had yielded to the terms which France dictated; if we had acknowledged the Republic; had repealed the Alien Act; had permitted the exportation of corn and the circulation of assignats; had expelled the emigrants; had disarmed our fleet, and had consented to see Savoy and Belgium become departments of France—still our treaty with Holland would have forced us to defend her against invasion. Even if we had proceeded still further in the course of submission, and had consented to violate that treaty, we should have been unable, even at that price, to preserve our neutrality. When once it was proclaimed that, in the contest between the democratic and the monarchical principle, all who were not for France were against her, no option was left to us but that of active resistance or active co-operation. In fact, France no more offered a real option to England, than Prussia and Austria offered an option to France. Austria and Prussia exacted from France, and France exacted from England, concessions and conduct which the exacting party knew to be impossible, and of which the mere demand was itself an act of hostility. We must repeat, therefore, our dissent from Mr Wheaton, when he states that England abandoned her system of neutrality. She can no more be said to have abandoned that system, than a man who is knocked down by a robber can be said to have abandoned his system of keeping the peace.

The interferences of France, Austria, Prussia, and Russia, against the people of Spain, Naples, Sicily, and Piedmont, in 1820 and the two following years, are so connected that they may be treated as a single event. It is scarcely necessary to remind the reader, that when Spain in 1808 was abandoned by her royal family, their place was supplied by a Cortes elected by the people; representing the whole national will, and therefore armed with the whole national authority. In the exercise of their functions, they established a constitution for the present and future government of Spain. This constitution, which afterwards became

* French Declaration of War against England and Holland, February 1, 1793.—Ann. Reg. Vol. xxxv. p. 139.

notorious under the name of the Spanish Constitution of 1812, copied the ultra-democratic models afforded by France in the early periods of her Revolution. The whole legislative power—for the King had only a suspensive veto—and a large portion of the executive power, was vested in the Cortes, a single assembly, appointed by an elaborate process of indirect election, reposing ultimately on a nearly universal suffrage. The inhabitants of each parish appointed a parochial delegate, the delegates of each district a district elector, and the electors of each province a deputy for every 70,000 souls. The assembly thus constituted sat for three consecutive months every year, and was represented during the recess by a permanent committee. The King could not prorogue or dissolve it; but it was elected for only two years, and no person could sit twice consecutively. After thus providing for the inexperience of the Cortes, care was taken that it should be in permanent opposition to the executive, by enacting that no member should receive for himself, or solicit for any other person, any employment under the Crown.

Such a constitution was obviously, we might almost say ludicrously, ill-framed; but it was less mischievous than the despotism which, in less than three hundred years, destroyed the morality, the knowledge, the wealth, and even the courage of Spain; and left her at length without statesmen, without administrators, without officers, without soldiers, without sailors, and, what was perhaps still worse, without the consciousness of her deficiencies, and apparently without the power of understanding them when pointed out.

The constitutional government provided ill against a counter-revolution. Their mismanagement, indeed, had been so deplorable, that probably no precautions would have been sufficient. Within a few weeks after Ferdinand's return from France in 1814, he abolished the constitution, dispersed the Cortes, resumed absolute power, and employed it in the persecution of all who had endeavoured to improve the institutions of Spain.

In the present state of Europe, however, it is seldom that, in her contests with despotism, democracy is permanently worsted: the fire still lives in the ashes. Less than six years afterwards, on the 1st of January 1820, an insurrection broke out in Andalusia; and, though unsuccessful in the south of Spain, extended itself to the east, the north, and the west, and by the beginning of March was triumphant in Madrid. By a decree dated the 7th of March, Ferdinand declared that the general will of the nation having been pronounced; he had resolved to swear to the constitution of 1812, and directed its immediate promulgation. A constitutional Cortes was assembled; the chiefs of the liberal

party were called, from exile and from dungeons, to direct the administration; and in less than three months, Spain, from a despotism, became almost a republic.

This was the first interruption of the general tranquillity which followed the Congress of Vienna. It was the first popular insurrection against an established government which had occurred during the nineteenth century. Such events have since become familiar to us; we are able to estimate their relative importance, and to foresee their progress, and, to a certain extent, their results. But the great majority of those who, from surrounding countries, watched the Spanish Revolution, were unassisted by experience. Surprise, Admiration, vague fears, and hopes still more vague, were the feelings which it excited.

There was no country more ready for these impressions than Naples. In the beginning of the sixteenth century—the time at which it seems to have been decided for most European nations whether they should advance in civilization, remain stationary, or even recede—Naples became a province of Spain. For more than two centuries she languished under Spanish misgovernment; and when at length she obtained a separate sovereign, it was still a Bourbon, whose ignorance, prejudices, and selfish carelessness left her under the yoke and the whip of subordinate oppressors. The rashness with which the ruling family rushed into war with the French Directory; the precipitation with which they fled from the danger which they had provoked; the cruelties which deformed their first return, and the cowardice of their second flight—had rendered them odious as well as contemptible. When the Congress of Vienna recalled him to the Neapolitan throne, Ferdinand promised a constitution ‘under which the people ‘would be the sovereign, and the monarch only the depositary ‘of the laws.’ This proclamation is dated the 1st of March 1815. On the 12th of June following, he signed a treaty with Austria, by which he engaged to admit no changes in his dominions inconsistent with the principles on which Austria governed her Italian provinces.*

Of these two irreconcilable engagements, it may be easily imagined that he preferred the latter. His conduct towards Sicily had been still more atrocious. He destroyed an existing constitution which had been framed with his assent, and had been for years working with his participation. It was natural that a people, thus injured and deceived, should endeavour to extort from the fears of their sovereign, what they had vainly

expected from his sense of honour or of faith ; and the facility with which, both in Naples and in Sicily, a constitution was substituted for a despotism, shows that the change was the work, not of a party, but of a nation. On the 2d of July 1820, one hundred and fifty men at Nola raised the cry of ' God, the King, and a Constitution !' And by a proclamation, issued on the 6th, the King declared that the general wish of the kingdom for a constitutional government having manifested itself, he consented to it of his full and entire will, and promised to publish the basis in eight days. He was informed, however, that the constitution demanded by the people was the Spanish constitution ; and the next day a proclamation issued, by which the King declared that he had appointed his son Francis vicar-general of the kingdom ; that his son had arranged the basis of the constitution on the Spanish model ; and that he, the King, confirmed the act. In less than three months, the first parliament of the Neapolitan nation had assembled.

In the mean time, the people of Sicily adopted the Spanish constitution as readily, or rather as eagerly, as those of Naples. But, with the exception of the two districts of Trapani and Messina, which adhered to the union with Naples, the Sicilians declared themselves a separate independent nation, and established their seat of government at Palermo.

It is seldom that a revolutionary party allows to others the right of self-government which it claims for itself. The government of Palermo endeavoured by military force to compel Trapani and Messina to become a part of the independent constitutional monarchy of Sicily ; and the government of Naples used the same means to compel Sicily to be a part of the independent monarchy of the Two Sicilies. The Neapolitan aggression was the successful one ; and at the cost of much bloodshed and money, and some bad faith, and the waste of the best troops of Naples as a garrison, the separate independence of Sicily was, for a time at least, suppressed.

But a storm was rising in the north, which threatened a speedy and violent end to the new liberties of the south. In 1815, the sovereigns of Austria, Russia, and Prussia had made the celebrated treaty of the Holy Alliance—a treaty by which, after recognising the important and neglected truth, that the principles of Christianity, the principles of justice, charity, and peace, ought to govern the relations of governments as well as those of individuals, the relations of public as well as those of private life, the three Princes declared that they would consider themselves as fellow-countrymen and brothers, and give to one another, on every occasion, assistance and succour. France was not invited

to join in this alliance. England was invited, and refused. In 1818, however, at the Congress of Aix-la-Chapelle, a declaration was signed by the ministers of England and France, as well as by those of Austria, Russia, and Prussia, which, without expressly alluding to the Holy Alliance, appears to recognise its principles. The declaration affirms, in substance, that the intimate union existing between the five powers is a sacred pledge for the future tranquillity of Europe; that the object of that union is the maintenance of peace, and of the stipulations by which it has been consolidated, and generally the repose of the world; and the means, a strict observance of the principles of the law of nations, (*droit des gens*)—principles on which the independence of each nation, and the stability of the community of nations (*association générale*) depend.*

The language, both of the Treaty and of the Declaration, is studiously vague; but it was now thought necessary to give to it some precision. A meeting of the sovereigns of Austria, Russia, and Prussia took place at Troppau, and was afterwards transferred to Laybach. The papers issued by that Congress show what, in the opinion of the majority of the parties to the declaration of 1818, was meant by the words 'peace' and 'repose'; what were the principles of the law of nations which were to be strictly observed; and what were the mutual assistance and succour to which the parties to the Holy Alliance were pledged. The monarchs declare that they are bound by sacred engagements to exercise their incontestable right of coercing a nation which, by revolting against its sovereign, has assumed an attitude hostile to all legitimate authority.† They declare that their objects are the inviolability of all established rights, the independence of all legitimate governments, the tranquillity of states, the rights of thrones, and the repose of the world.‡ They declare that changes in the laws or in the administration of States, whatever be their apparent utility, or even necessity, ought to spring from no source but the free-will, the considerate and wise impulse of those to whom God has given power, and whom he has made responsible to himself. Every thing else leads to revolutions and to mischiefs, far worse than those which it may be attempted to remedy. Penetrated by these eternal truths, they proclaim them frankly and vigorously; and, while they respect the rights of

* Declaration of the Five Powers, 15th November 1818.—State Papers, 1818, 1819, p. 18.

† Circular, 8th December 1820.—Ibid. 1820, 1821, p. 1150.

‡ Austrian Declaration, 13th February 1821.—Ibid. p. 1181.

legitimate power, they regard as null, and as disavowed by the national law (*droit public*) of Europe, all reforms effected by revolt and force.*

None of these papers were signed by the French minister, though subsequent events showed that his government approved of their contents.

It is some comfort to find that England, though she had been seduced into becoming a party to the declaration of 1818, protested against this interpretation of that engagement, against this theory of international law, and against the conduct which they were supposed to justify.

The British government denied that any general right of interference against revolutionary movements in independent states was sanctioned by the Law of Nations, or could be made prospectively the basis of an alliance. Admitting the right of a state to interfere where its own immediate security or essential interests were seriously endangered by the internal transactions of another state, they declared this right to be an exception to general principles of the greatest value; to be capable of arising only out of the circumstances of each special case; to be justified only by the strongest necessity, and to be limited and regulated thereby; and to be insusceptible of being so far reduced to rule, as to be incorporated into the ordinary diplomacy of states, or into the institutes of the law of nations.†

The rest of the story is quickly told. The King of Naples was summoned to Laybach, and found the monarchs resolved to exact the pure unqualified submission of the Neapolitan people to his absolute authority, and the garrisoning the country by Austrian troops. These terms were refused by Naples. About the beginning of March 1821, fifty thousand Austrians entered the country, the constitutional army disbanded on their approach, and in a few weeks Ferdinand was again the absolute sovereign of the Two Sicilies; and the principal members of the constitutional government were exiles, or enduring the rigours of despotic imprisonment.

During the few weeks employed by the Austrian army in re-establishing absolute government in Naples and Sicily, a constitutional revolution broke out and was suppressed in the continental dominions of the King of Sardinia. On the 10th of March 1821, the Spanish constitution was proclaimed in Alexandria. On the 13th, the King, Victor Emanuel, abdicated, leaving the

* Circular of the 12th May 1821.—State Papers, 1820, 1821, p. 1201.

† British Circular, 19th January 1821.—Ibid. 1820, 1821, p. 1160.

crown to descend to his brother Charles Felix ; but nominating the present King, then Prince of Carignano, regent. On the same day the prince announced the adoption of the Spanish constitution ; and on the 15th swore to observe it. On the 21st, however, he fled to Novara, the headquarters of a small body of troops who refused their assent to the change. On the 8th of April, the Austrian troops entered Piedmont ; and on the 30th, just a month from the beginning of the revolution, were masters of Turin. The only results of this rash movement were the substitution of Charles Felix as King for Victor Emanuel, the death, imprisonment, or exile of many of the best Piedmontese, and the occupation of the country by twelve thousand Austrian troops.

But though the Holy Alliance interposed rapidly and effectually to crush constitutional government in Italy, for a long time it seemed likely that the people of Spain would be allowed to frame their own institutions. Russia, indeed, in her characteristic hatred of liberty, and contempt or ignorance of international morality and of international law, had seized the earliest opportunity to denounce the Spanish revolution as a crime, (*attentat*;) to proclaim that the object of the declaration of Aix-la-Chapelle in 1818 was the prevention of revolutions, or, in other words, of constitutional changes not proceeding from the free-will of the sovereign ; and to propose that the five powers, parties to that engagement, should require from the Spanish Cortes an immediate submission to their king.* But England denied the premises, and refused to adopt the conclusion. She denied that the alliance between the five powers was intended as a union for the government of the world, or for the superintendence of the internal affairs of other countries. She denied that the Spanish revolution menaced other states with the direct and imminent danger which alone justifies external interference ; and she protested against a conference charged with the commission of deliberating on the affairs of Spain.† The proposal made by Russia was not accepted ; and, with the exception of the representation made by the ministers of Austria, France, Russia, and Prussia, on the 7th of July 1822, to the Spanish Exe-

* See the Answer of Count Nesselrode to the Chev. Zea Bermudez, 20 April, 1820 ; Memoir, of the 18 April 1820.—State Papers, 2 May, 1819, 1820, p. 941—943.

† Minute of May 1820, communicated to France, Prussia, and Russia. —Ibid., 1822, 1823, p. 71.

cutive, as to the importance of providing for the personal safety of the royal family,* we are not aware of any concerted demonstration against the Spanish constitution, until the sovereigns or ministers of the five great monarchies met at the Congress of Verona in the autumn of 1822.

The affairs of Spain were not the motive of that congress; and it appears probable that, if they had not been brought forward by France, they would have remained unnoticed. In fact, experience had calmed the alarms excited in the absolute monarchies by the first outbreak of the revolution. The physical power of Spain to disturb her neighbours was absolutely null; and the moral effect of her example was not to seduce, but to warn. The army unpaid and unclothed; the clergy starving; the revenue partly uncollected, and partly taken in kind; the Cortes at war with every successive set of ministers, and most of the large towns in open rebellion against the Cortes; the American provinces lost; one great and spreading civil war in the north; and twenty unconnected ones in the south and east;—such were the results exhibited by two years and a half of popular rule.

The early prognostic of the British government, ‘that there is no portion of Europe, of equal magnitude, in which a revolution could have happened less likely to menace other states,’† was completely justified. Though the disapprobation of Austria and Prussia was unabated, their fears were at an end; and they were unwilling to incur expense and danger without an object. And though Russia was eager for a pretext to reappear in the south of Europe, her distance rendered her incapable of acting without the concurrence of all the intermediate powers.

But France was influenced by motives totally different from those which affected the Holy Alliance. For the last hundred and fifty years one of the ruling principles of her policy had been to procure the subservience of Spain. For this purpose, in the first partition treaty, she required a large portion of the northern frontier of Spain to be ceded to her. For this purpose Louis XIV. wasted the blood and the treasure, and even risked the independence of France, in order to place a Bourbon on the throne of Spain; and few French statesmen have denied that the object was worth the vast sacrifices by which it was attained. For this purpose he forced his grandson, while scarcely yet firmly seated on that throne, to abolish the established law of inheritance

* State Papers, 1821, 1822, p. 895.

† British Minute of May 1820.—*Ibid.* 1822, 1823, p. 72.

in his new dominions; to violate the will of Charles II., and thus to destroy the only titles which gave him a pretence to the crown; and to substitute the Salic law, in order that Spain might be under a Bourbon as long as a male Bourbon line should exist. * For this purpose, when the Bonaparte dynasty was substituted in France for that of the Bourbons, Napoleon ran yet more frightful risks, and made still more destructive sacrifices, in order to effect a similar substitution in Spain.

But the only means by which France can obtain or preserve an ascendancy in Spain, is by subjugating the mind of the Monarch, and through him, or through his favourites, controlling the government. The antipathy between Spaniards and Frenchmen—perhaps the two populations in Europe most opposed in character to one another—and the jealousy and fear with which the weaker nation looks on her fierce and unscrupulous neighbour, indispose Spain towards France whenever the will of the Spanish people can operate. The only government, therefore, which France will voluntarily tolerate in Spain, is that of an absolute Monarch—her own blind but irresistible instrument. In her wildest democratic madness, while surrounding herself with affiliated republics, she never attempted to revolutionize Spain. The traditional policy was obeyed even by the Convention and the Directory. Still impelled by these motives, France appears to have resolved from the beginning to strangle the liberty of Spain. ‘The Revolution,’ says M. Chateaubriand, ‘had made Spain English. Under her new institutions, and the influence acquired by Great Britain during the war of independence, it became clear that our enemies would predominate in the councils of Madrid; and then change would follow—change till a corrupt legislature, or the weakness of a prince, occasioned a disastrous alteration in the law of the royal succession. Not merely the family interest of the Bourbons, but the safety of France, depends on perpetuating the Salic law in Madrid. Is that law in danger? Then let France and Spain become republics, or prepare instantly to conquer Spain and unite her to France.’ *

At the beginning of the Spanish Revolution, France, just relieved from the presence of the Allied armies, did not feel strong enough to act openly. We know, however, from the confession of one of her Ministers, that ‘every thing that could be done against the constitutional system was done. It was difficult to supply the extravagant demands for men and money—

‘made by the leaders of bands; but assistance was given to them, and insurrection was stirred up wherever it was possible.’*

In the autumn of 1820, a large body of French troops was stationed along the Spanish frontier. The motive assigned was the exclusion of a contagious disorder then prevailing in Catalonia and Aragon. Before the end of the year the disorder had ceased; yet the military cordon was not only maintained, but increased, until it swelled to a formidable army. Spain complained; but the answer, as contained in the speech of the King on the opening of the session of the 4th June 1822, was, ‘that the season required the continuance of the precautions which had kept the contagion from the frontiers of France, and that malevolence alone could discover in such measures a pretext for misrepresenting his intentions.’ With this assurance Spain seems to have been satisfied.

At length the time came when the mask was to be thrown off. As it appeared clear that the Holy Alliance would take no active measures, France found that she must either herself attack Spain, or suffer her to remain constitutional. It was a necessary consequence of the civil war which she had stirred up in the north of Spain, that France should be forced to take precautions to prevent her frontier from being occasionally crossed by parties in flight or pursuit, and that these precautions should be expensive and sometimes ineffectual—that French criminals should take refuge in Spain—that the Spanish press should attack the French government—and that the commerce between the south of France and the provinces which were the seat of war, should fall off. On these grounds France maintained that she had a special right of war against Spain, independent of the general right of monarchies to put down revolutions.

In the beginning of October 1822, M. de Chateaubriand, representing France at the Congress of Verona, required the Ministers of England, Austria, Russia, and Prussia, to state what would be their conduct if France were involved in a war with Spain. Three probable occasions of war were mentioned;—1. An invasion of the French soil by Spanish troops, or an official invitation by the Spanish government of the subjects of France to rebellion. * 2. The formal deposition of Ferdinand, or legal proceedings against him, or against any of the members of his

* The public Reporters were excluded from the sitting of Deputies on the 8th February 1823, at which the speech, of which this is an extract, was delivered. But the concurrent testimony of private reporters proves, that a statement to this effect was made by M. de Villèle.

family. 3. A formal act of the government affecting the succession to the crown, or, in other words, the abolition of the Salic law.*

Austria, Russia, and Prussia, answered that they would make common cause with France; England, that she was not aware what cause of complaint France might have, and that she could not answer hypothetical questions. Neither Austria nor Prussia, however, desired to see a French army master of Spain, and France herself wished to avoid the expense of a war. 'At the end of the year,' said M. de Villèle to M. de Chateaubriand, 'I might have a surplus of twenty-five millions; why do these wretched foreign affairs come to disturb our prosperity?'† It was agreed, therefore, by the four powers—England standing aloof—that each should address a Note to its Minister at Madrid, stating the terms on which they would continue on friendly terms with Spain. Each Note denounced the state of things in Spain as destructive to that country, and dangerous to Europe. The Russian Note stated the precise source of evil to be, 'that the will of the King, the only authentic organ of communication between Spain and the other European powers, was chained;' and required 'that he should be placed in a position enabling him to remove these sources of complaint and anxiety.'‡ The Prussian Note required that the King should be restored to entire liberty of action, and enabled to give to Spain such institutions as she really wanted, and might lawfully desire—(*les institutions que demandent ses besoins et ses vœux légitimes.*)§ The Austrian Note required that the King should be restored to liberty—not mere personal liberty, but the liberty without which a sovereign cannot answer to his high vocation; a liberty which will enable him to put an end to the misfortunes of his people, and to substitute, for a mode of government which experience has shown to be impracticable, a state of things in which the rights of the monarch may be combined with the real interests and lawful desires of all classes among his subjects.¶ The French Note was more ambiguous. It declared that France united with her allies in the firm determination to repress revolutionary principles and revolutionary movements; that she would assist, to the utmost of her power, in promoting the hap-

* Chateaubriand, *Congrès de Verone*, Vol. i. p. 113.

† Ibid. p. 156.

‡ State Papers, 1821, 1822, p. 911.

§ Ibid. p. 914.

¶ Ibid. p. 920.

piness and prosperity of Spain; but that her Minister would be recalled, and still more efficacious measures taken, if she lost the hope of seeing in Spain the amelioration which the love of Spaniards for their King entitled her to expect. A supplemental explanatory despatch stated this amelioration to be, that Ferdinand should be in a position by himself, and of his own proper authority, to modify the existing constitution.*

The Notes were received at Madrid early in January 1823. The Spanish answer to those of Austria, Prussia, and Russia, declared nakedly the determination of Spain to adhere to the constitution of 1812.† The Ministers of those courts immediately left Madrid. The answer given to France was, that all the assistance which Spain desired from France was negative; that she should be satisfied if France would merely abstain from active injury; and that she was unalterably attached to the constitution of 1812, and determined never to acknowledge, in any power, the right of interfering in her affairs.‡ The French Minister then quitted Madrid. On the 28th of January 1823, the French Chambers met. The King's speech stated that 100,000 Frenchmen, commanded by a French Prince, were ready to march, invoking the God of St Louis, to preserve the Spanish throne to a descendant of Henry IV., to save that fine kingdom from ruin, and reconcile her to Europe; but that the war would be averted if Ferdinand VII. were free to give to his people institutions which they could hold only from him, and which would put an end to the anxiety of France. 'I have consulted,' said the King, 'the dignity of my crown, and the honour and safety of France.* We are all Frenchmen; we shall always be agreed when such interests are to be defended.'

England offered a mediation which was refused by both parties. Spain, torn by civil war, and no longer supported by England, fell almost without resistance, and Ferdinand was restored to the free agency 'without which a sovereign cannot answer to his high vocation.' It was a just retribution to France, that the only institution which he gave to his people was the abolition of the Salic law, and the re-establishment of the old principle of succession—one of the three contingencies to avert which France had destroyed the constitution.

On considering the events of which we have given this very imperfect outline, we think that the doctrines now prevalent in

* State Papers, 1821, 1822, p. 926.

† *Ibid.* p. 933.

‡ *Ibid.* 1822, 1823, p. 759.

Europe, as to the right of one country to interfere between the sovereign and the subjects of another, may be stated thus.

It does not appear that interference for the mere purpose of preventing the oppression of Subjects by their Prince, is now held lawful by any nation. No country interfered to prevent the oppression of Spain by Ferdinand, on his return from France in 1814. And yet the Allies, who had given to him the means of being mischievous, had the power, for they were then the dictators of Europe, and, if the Law of Nations sanctioned it, seemed liable to the duty of restraining him; and it is difficult to believe that they had not the will. England, at least, could not have seen with indifference the re-establishment of the Inquisition, and the exile, imprisonment, or death, of those who for years had fought by her side. The powers who gave the kingdom of Poland to Russia, Piedmont to the house of Savoy, and Naples and Sicily to the Italian Bourbons, have not interfered to check the misgovernment of those countries. According to modern international law, it appears to be doubtful whether a nation has any rights against its sovereign; and certain that, if it have any, they are rights which no third party is justified in supporting.

On the other hand, it appears to be the opinion of Russia, Austria, and Prussia, that the rights of a sovereign against his subjects are whatever he may think fit to claim. We have already quoted a passage from the Austrian and Prussian manifesto of the 4th of August 1792, which denies that a King can be deprived, or voluntarily divest himself, of any portion of his supreme, never-ceasing, and indivisible authority; and the same sentiment, though seldom so nakedly expressed, is stated or implied in all the state papers of these three monarchies. They further assert that, by international law, all third parties are justified in interfering to enable a sovereign to retain or recover his authority. Whether they should or should not actually interfere, they have considered a matter of discretion to be governed by the circumstances of each case; but we are not aware that any one of them has ever abandoned, or doubted, or even limited the right.

England admits the validity of every established government, whether depending on usage, on popular revolt, or on royal usurpation. Subject to the universal exception, that every state has a right to protect itself against great mischief, or even imminent danger, arising out of the domestic affairs of another, she denies that international law allows one state forcibly to interfere in the internal affairs of another, on any pretext or to any extent whatever. She denies that third parties can lawfully interfere to

forte a people to obey their sovereign; as she denies that they can lawfully interpose to force a sovereign to respect the liberties of his people.

It is difficult, we are inclined to say impossible, to state what is the doctrine of France on this, and indeed on any point of international law. During the last two hundred years she has tried almost every form of government, almost every kind of ruler, and almost every variety of fortune. She has been a feudal kingdom, a republic, a military despotism, and a constitutional monarchy. She has been governed by kings, by soldiers, by courtiers, by lawyers, by mistresses, and by mobs. She has sometimes been a maritime power, and sometimes has depended solely on her armies. Sometimes she has been commercial, and sometimes she has excluded commerce by a wall of prohibitions. Twice she has been nearly mistress of the Continent. Three times she has been laid helpless before her enemies, and been saved only by their mutual jealousy. All her maxims, and all her opinions as to internal legislation and administration, have varied with the changes in her form of government, and in the character of her rulers. Her external policy has of course been influenced in its details by her fortunes. But with the exception of the comparatively short period of Fleury's ministry, it has been directed by one leading principle. That principle is—that France, or, as she usually calls herself, the Great Nation, is entitled, directly or indirectly, by actual coercion or by influence, to govern the rest of Europe; and that all means are to be adopted, and all principles are to be avowed, by which that end can be obtained. Her state papers contain, on every subject of international law, every doctrine, however irreconcilable; for every shade of doctrine has, at one period or at another, seemed convenient to her. It is useless, therefore, to cite them even as evidence of the opinion of France; for they show, not what, in the opinion of France, the Law of Nations then was, but what, for the purposes of the moment, it seemed to her advisable to represent it to be.

The length at which we have dwelt on the subject of intervention, the most important and the most doubtful question in international law, forces us to pass rapidly over the remainder of Mr Wheaton's conclusions.

It is with great regret that we must express a doubt as to the accuracy of his statement, that 'the laws of war have been improved, and, among the more civilized nations, the usages of war sensibly softened.' We doubt whether the laws of war between enemies, for these are the laws of war of

which Mr Wheaton speaks, can be considered as having been materially improved during the two hundred years embraced by his work. The language of text-writers has been more Christian-like than that of Grotius, or of his earlier followers; but there are few instances in which governments, or national authorities, have attempted to deprive war of any of its fierce prerogatives. The right of confiscating debts due to the members of a hostile community, affords, perhaps, one of these instances. That right was in full force at the time of the peace of Aix-la-Chapelle; but in 1817,* the Court of King's Bench in England, declared an ordinance of the King of Denmark in 1807, purporting to exercise the right, to be contrary to the law of nations, and therefore void. And by the supplemental articles to the treaty of Paris, between England and France, of the 30th May 1814, a similar confiscation, made by the French Government in 1792, was declared to have been undue, and France bound herself to indemnify the British sufferers. The treaty of 1795, between England and the United States, pronounced such a confiscation to be unjust and impolitic; and on the whole, notwithstanding the decisions to the contrary in the American courts,† we think we may venture to hold that it is no longer sanctioned by international law. But without absolutely denying that there may be other instances of improvement in the laws of war, we are unable to point one out. And it is to be remarked, with respect to the solitary case which we have mentioned, that England has not yet abandoned the claim to confiscate, as *droits* of the Admiralty, vessels which, having entered her ports in time of peace, are found there at the breaking out of war;—a claim not to be distinguished in principle from the confiscation of debts.

On the other hand, we fear that instances may be shown in which the laws of war have become more barbarous. Until the end of the last century, the Arts were privileged in war. Frederic the Great, master of Dresden, would not enter the gallery without the permission of the sovereign whom he had driven from his capital. According to the principles avowed by France from 1792 to 1815, he might have carried off its contents to Berlin. It is true, that in 1815 France was forced to restore her plunder. That is to say, what war had given, war resumed; but in 1814, when the Allies tore from her her other conquests, they allowed her to retain all her spoil in pictures and statues—a conduct not easily reconciled to a firm belief that their original acquisition

* In the case of *Wolff v. Oxholm*, (6 Maule and Selwyn, 92.)

† See the cases collected.—1 Kent's Commentaries, p. 64.

was a violation of the laws of war. Architectural monuments have fared still worse. As they could not be carried away, they have been destroyed. The blowing-up of the Kremlin, by France; the burning of the Senate-House at Washington, by England; the attempt to destroy the Bridge of Jena, by Prussia—an attempt defeated by an appeal not to the laws of war, but to the convention of Paris—are instances of wanton destruction which must occur to every reader.

Mr Wheaton thinks that the usages of war, as distinguished from its laws, have been sensibly softened. It is difficult to suppose that even armies have not shared the improvement in humanity and gentleness, which is the most remarkable characteristic of the eighteenth and nineteenth, as compared with the sixteenth and seventeenth centuries. But we look in vain for the evidence. Some of the worst exhibitions of military ferocity have occurred within our own memory. Such was the proclamation of the Duke of Brunswick, when he invaded France in 1792. ‘The national guards,’ said this monstrous document, ‘who shall fight against the allied troops, and shall be taken in arms, shall be punished as rebels and disturbers of the public peace. And their imperial and royal Majesties declare, on their faith and word as Emperor and King, that if the royal family of France be not immediately set at liberty, they will inflict the most exemplary and ever-memorable avenging punishments, by giving up the city of Paris to military execution, and exposing it to total destruction.’* Fortunately for his reputation as a man, the Duke of Brunswick was unable to execute his threats; but what must have been the state of public opinion when such threats could be uttered?

Such, again, was the decree made by the French legislature, of the 7th Prairial, An. 2, (26th May 1794,) forbidding their troops to give quarter to Englishmen or Hanoverians. And this decree was acted on. ‘How many prisoners,’ said Barrere, in his official statement of the result of the battle of Fleurus;—‘how many prisoners do you suppose we have made? How do you think that the army of the Sambre has executed your decree against the perfidious English? The result of this great day is one single prisoner.—(Loud applause.)’*

Such was the decree of the French government in January 1798, condemning to death all neutral sailors found on board English ships.

Such was, in 1799, the execution by a French army, after a long consultation, of four thousand Arnauts and Albanians, who, when Jaffa was taken by assault, had surrendered on an express promise of safety. Bourrienne, who was present at the different councils of war where the fate of the prisoners was the subject of four days' deliberation, tells us that one of the motives for their massacre was, the discontent of the troops 'at seeing their provisions shared by enemies who had been withdrawn from their just vengeance, since the laws of war had pronounced sentence of death on the garrison of Jaffa.*' Their crime was a resistance of two days.

A less revolting, but still more cruel exercise of military power, was the refusal of France, in the war which followed the peace of Amiens, to exchange prisoners with England; a refusal which condemned tens of thousands of the subjects of each country to misery and disease, without any motive except the infliction of suffering. If we come down to our own immediate times, and look at the two principal wars of the last ten years, can it be said that the conduct of the British troops in Afghanistan, or that of the French in Algeria, shows a perceptible mitigation of military violence? We fear that the present state of the laws and usages of war is one of the proofs that the last two hundred years, though they have done much to alter, have done little to improve international law.

We feel bound to express a still stronger dissent to Mr Wheaton's statement, that, since the peace of Westphalia, the right of maritime search has been confined to times of war. The truth is, that since the peace of Westphalia that right has been extended to times of peace, though with different motives and on different grounds.

Subject to the general rule that public vessels are not to be interfered with, every commissioned vessel has a right, during war, to search every other vessel whatever. She enjoys that right by the law which entitles her to seize, at sea, enemies' property and contraband of war, and she enforces it in foreign vessels as *foreign vessels*. This right, of course, ceases with its cause. A ship is a part of the territory of its country, and no one is justified in knowingly entering a foreign territory without permission. On land, this rule is in general easily maintained; for the frontiers of most countries are marked and well known. But the only sign of a ship's nationality is her flag; and she

* Bourrienne, vol. ii. p. 223.

can assume any given flag, and change it at her pleasure. If, therefore, the mere assumption of a flag be conclusive evidence of her right to use it, a vessel on the high seas becomes practically exempt from all jurisdiction. She has only to hoist the flag of some country whose cruizers are not to be met with in the seas in which she is sailing, and all inquiry is at an end. It follows, that if any jurisdiction is to be exercised on the high seas, it must either be exercised over all vessels without reference to their nationality, or it must carry with it the right to ascertain their nationality. Until the present century, the only crime of which a vessel on the high seas could be guilty was piracy; and, by the international law of all civilized nations, pirates have no national rights. They are the common enemies of the human race, and may be hunted down by any force, and tried and punished by any tribunal, whatever be the nation which they disgrace. Until the present century, therefore, it never could be necessary, in time of peace, to ascertain the nationality of a vessel on the high seas. Unless she were a pirate, she could not be interfered with. If she were a pirate, no flag could protect her. This is the answer to the remark, that the right to board a vessel on the high seas, in order to ascertain her nationality, was never exercised until it was claimed by Britain after the termination of the late war. It was never exercised before, because it was never wanted before; because, in fact, it never could be used before.

But, in 1807, the United States of America declared the maritime slave trade to be a crime; and their example has been followed by every Christian nation; and every Christian nation has solemnly engaged to use the utmost exertions to put it down. The British government held that this reprobation of slave-trading by the whole civilized world assimilated it to piracy, and entitled every nation to seize and punish slave-traders, to whatever country they might belong. Had this been acquiesced in, the nationality of a vessel would have remained unimportant; she could be seized only for piracy or slave-trading, and against neither of these imputations could her flag have been a defence. The English Courts of Admiralty defeated this attempt. They decreed the restitution of foreign slave-traders, and established the doctrine, that slave-trading is an offence cognizable only by the country of which the offender is a subject; or by some authority to which that country has expressly delegated its jurisdiction. The necessary consequence is, an inquiry into the nationality of a vessel suspected of slave-trading. If she could protect herself from all investigation, by merely hoisting a flag different from that of the cruizer which attempts to detain her,

all attempts to intercept slavers on the high seas must cease. If a ship, with her deck crowded with negroes, and the 'Mary of London' painted on her stern, had a right, on showing Swedish colours, to pass unchallenged through a British fleet, the mutual engagements of the Christian world to put down the maritime slave-trade would become solemn emptiness. But such an inquiry takes time, and loss of time at sea is always expense, and sometimes danger. If vexatiously pursued, it may occasion intolerable annoyance, and never can be endurable unless carried on with the utmost moderation and candour—candour and moderation which, we fear, have not been always exhibited by the lieutenants and midshipmen of the British cruisers. It is made, too, at the peril of the inquirer; that is to say, on the condition of making full compensation, if the suspicion which occasioned it, however apparently fair, should prove to be groundless. All the maritime nations of Europe and America, with one solitary exception in each hemisphere, have determined therefore, by mutual treaties, where, and by whom, and how it shall be effected. The United States and Portugal have, as yet, refused to become parties to this arrangement. The consequence is, as Mr Wheaton has remarked in his work on the 'Right of Search,'* that these nations are placed in a much worse situation than if they had not thus separated themselves from the rest of the civilized world.

Unless the other maritime nations, or rather Great Britain, to whom the duty of suppressing the slave trade seems to have been abandoned, allow the mere assumption of an American or a Portuguese ensign to preclude all further inquiry, American and Portuguese vessels must sometimes be visited by mistake. The treaties which regulate the exercise of the right of search, provide a remedy for all injuries which it may inflict on the subjects of the contracting governments; but no remedy can be provided for the members of a nation which refuses to recognize the right. This state of things must be inconvenient to the United States, but does not justify Mr Wheaton in denying that the right exists. His error appears to have been occasioned by his occasionally confounding the right of search for the purpose of *detention*, and the right of search for the purpose of inquiry; and from his always assuming that England exercises the latter right only by *treaty*.

It has been decided, and we think properly, that the right

* Inquiry into the validity of the Right of Visitation and Search, p. 161.

of search for the purpose of detention, or in fact for any purpose except that of ascertaining the nationality of a vessel, is the creature of treaty; and exists, therefore, only in as far as it has been expressly conceded. But the right of search for the purpose of inquiry, was created not by treaty but by necessity. It arose as soon as slave-trading was declared a crime, and the Christian world agreed to suppress it. It is not extended but limited by treaty; confined to certain latitudes and to certain persons. America may or may not fully co-operate with the rest of the civilized world. She may become a party to all the clauses of the quintuple treaty, or only to a few of them, or even merely to those which regulate search for the single purpose of inquiry, or she may remain querulous and alone. But whatever course she adopts, unless indeed she will maintain a fleet of observation sufficient to deter slavers from assuming her flag—a sacrifice which her previous conduct does not warrant us in expecting from her—we must repeat that it is certain that, as long as Europe continues her exertions to restrain the slave trade, American vessels will occasionally be searched. When a European cruiser meets with what she firmly believes to be a Spanish slaver, she will not allow the mere display of an American flag to be conclusive evidence that she is an American. In proportion to the confidence reposed in the sincerity of America as to the abolition of the slave trade, will be the tendency to believe, when a slaver shows an American flag, that it is usurped; and from time to time the cruiser will find herself to be mistaken.

It is scarcely possible, indeed, to believe that America herself can avoid exercising the right. She has employed for some years a force in the African seas, and another in the Gulf of Mexico, for the purpose of interrupting slavers. Do her cruisers board only those vessels which choose to display the American flag? If so, they must be useless unless when in company with an European cruiser. There can be little doubt that if they meet a vessel which they believe to be an American slaver, they board her, whatever be the colours which she may think it expedient to show.

It is remarkable, indeed, that while Mr Wheaton, writing in the intensely Anti-Anglican atmosphere of Paris, was denying to England the right to enforce her own laws with regard to her own vessels, if they thought fit to assume the American flag, the real question in dispute was virtually conceded by Mr Stevenson, then the American minister in London. 'Great Britain,' says Mr Stevenson, 'has the undoubted right, and so have all other nations, to detain and examine the vessels of their own subjects, whether slavers or not, and whether with or without a

'*flag purporting to be that of the United States.*'* Now, it is obvious that the right to examine a "European" vessel must imply the right to examine every vessel suspected to be European; unless America can brand her vessels with some national mark incapable of imitation.

We cannot part with Mr Wheaton without expressing a hope that he will translate his essay into English. It would form an excellent supplement to his great work on International Law. There are many persons in his own country and in ours, to whom it is inaccessible in its present form; and he must be anxious that his field of utility, and of fame, should be co-extensive with the English language.

ART. II.—*Poems by Alfred Tennyson*. 2 vols. 12mo. London, 1842.

ONE of the severest tests by which a poet can try the true worth of his book, is to let it continue for two or three years out of print. The first flush of popularity cannot be trusted. Admiration is contagious, and means often little more than sympathy with the general feeling—the pleasure of being in the fashion. A book which is praised in all the Reviews, thousands will not only buy but be delighted with; and thus a judicious publisher may contrive, by keeping it cleverly in people's way, to preserve for years a popularity which is merely accidental and ephemeral. But if this be all, the interest in it will cease as soon as it becomes difficult to procure. Let a man ask for it two or three times without getting it, he will take to something else; and his curiosity, unless founded on something more substantial than a wish to see what others are looking at, and a disposition to be pleased with what others praise, will die away. If, on the other hand, a new edition be perseveringly demanded, and when it comes, be eagerly bought, we may safely conclude that the work has something in it of abiding interest and permanent value; for then we know that many people have been so pleased or so edified by the reading that they cannot be content without the possession. To this severe test, the author

* Mr Stevenson's note of the 21st Oct. 1841.—*Slave Trade Correspondence*, 1841.—*Class D*, p. 272.

of the unpretending volumes before us has submitted an infant, and what seemed to many a baseless and precarious reputation; and so well has it stood the test—for we understand that preparations are already making for another edition—as to give him an undeniable claim to the respectful attention of all critics.

The book must not be treated as one collection of poems, but as three separate ones, belonging to three different periods in the development of his mind, and to be judged accordingly. Mr Tennyson's first book was published in 1830, when he was at college. His second followed in 1832. Their reception, though far from triumphant, was not inauspicious; for while they gained him many warm admirers, they were treated even by those critics whose admiration, like their charity, begins and ends at home, as sufficiently notable to be worth some not unelaborate ridicule. The admiration and the ridicule served alike to bring them into notice, and they have both been for some years out of print. As many of these productions as Mr Tennyson has cared to preserve, are contained in the first volume of the present edition. The second consists entirely of poems not hitherto published; which, though composed probably at various intervals during the ten intervening years, have all, we presume, had the benefit of his latest correcting hand. In subject, style, and the kinds of excellence which they severally attain or aim at, they are at once so various and so peculiar, that we cannot affect to convey any adequate idea of the general character of the collection; unless we should go through the table of contents, giving as we go a description and a sample of each poem. Neither shall we trouble ourselves to assign to the author his exact rank among the poets of the day. We trust we have room enough in our hearts for as many true poets, each moving in his just and entire orbit, as the land can produce; we are not, therefore, concerned to enquire how far one differs from another in glory: Πάντα δέ τ' εἶδεται ἄστρον γένηθαι δέ τε φρένα ποιμὴν. We shall content ourselves with endeavouring to form a true estimate of the man himself, and his claims upon the public attention, both for what he has done and for what is to be expected of him hereafter;—which, if we are not much mistaken, (and supposing, what as yet however we have no absolute assurance of, that he possesses the one great faculty of holding all his other faculties in full and sustained exertion,) is something that will make all he has yet produced appear only like preliminary essays and experiments. For the indications of improving taste and increasing power exhibited not only in the results of his later labours, but in the omission of some and the alteration of others among his earlier, lead us to infer that his faculties have not yet reached their highest de-

velopment; and, even as they are now, he has not yet ventured upon a subject large enough to bring them all into play together.

His earliest published volume—though it contains one or two poems, as ‘*Mariana*’ for instance, which must always rank among his very best—is to be preferred to rather as a point from which to measure his subsequent progress, than for specimens of what he is. The very vigour and abundance of a poet’s powers will commonly be in his way at first, and produce faults. But such faults are by no means unpromising. Indeed it is better that the genius should be allowed to run rather wild and wanton during its nonage; for a poet will hardly have the free command of his faculties when full grown, unless he allow them free play during growth. Too severe a repression of their young activities will stunt and cripple them, so that their aid will not be forthcoming when it is wanted; while, on the other hand, a free indulgence of them will bring in the end a double advantage—they will be not only more fully developed by exercise, but (having sown their wild oats) more readily brought into discipline when business begins.

Regarded as a crop of wild oats, Mr Tennyson’s first collection of poems, as originally published, cannot but be accounted a production of unusual promise. The natural faults of youth—exuberance, prodigality, lightness of heart and head, ingenuity wasted upon nothing, the want of sustained effort and a determined course, together with some vanities and fopperies—it may well afford to be charged with. The untried genius needed to be assured of its powers by putting them forth—to feel itself alive through all its capacities by living acts of creation. Hence his early efforts are, many of them, rather exercises than works—gymnastic exercises for the fancy, the intellect, the imagination, the power of language, and even for the feelings—valuable, as the games and tasks of schoolboys are valuable, not for the thing done, but for the practice, strength, and dexterity acquired in doing it. Here we have a succession of vague melodies, in which the power of musical expression tries how far it can go; there a group of abstract ideas, turned, for the satisfaction of the creative genius, into shapes ready for the sculptor:—here a conceit, in which the fancy admires its own ingenuity; there a thought, of no great worth or novelty perhaps, but expressed with curious felicity:—presently we find ourselves surrounded by a bevy of first-loves—Adelines, Madelines, and Lilians, more than we can remember—phantoms of female grace in every style, but all belonging to the land of shadows: then again come delineations of every state of mind, from that of the mystic who has nearly reached the highest circle, to

the 'second-rate sensitive mind not at unity with itself;' and of every variety of untried being, on earth or in water, or on the earth under the water, from the grasshopper with his 'short youth, 'sunny and free,' to the kraken sleeping for ages in the central depths, among millennial sponges and giant-finned polypi: whilst at intervals we recognize a genuine touch of common humanity—a 'Character,' (p. 44,)—a 'Circumstance,' (p. 67,)—or a sketch truly drawn from homeliest nature, which needs, however, no fancy dress to make it beautiful, but will remain for ever fresh when all that 'airy stream of lively portraiture' has faded before the increasing daylight:—

'No matter what the sketch might be;
Whether the high field on the bushless Pike,
Or even a sand-built ridge
Of heaped hills that mound the sea,
Overblown with murmurs harsh,
Or even a lowly cottage whence we see
Stretch'd wide and wild the waste enormous marsh,
Where from the frequent bridge,
Like emblems of infinity,
The trenched waters run from sky to sky.'

'Come from the woods that belt the gray hill-side,
The seven elms, the poplars four,
That stand beside my father's door;
And chiefly from the brook that loves
To purl o'er matted cress and ribbed sand,
Or dimple in the dark of rushy coves,
Drawing into his narrow earthen urn,
In every elbow and turn,
The filter'd tribute of the rough woodland.
O! hither lead thy feet!
Pour round mine ears the livelong bleat
Of the thick-fleeced sheep from wattled folds,
Upon the ridged wolds,
When the first matin-song hath waken'd loud,
Over the dark dewy earth forlorn,
What time the amber morn
Forth gushes from beneath a low-hung cloud.'

(*Ode to Memory*, Vol. i. p. 34.)

In the course of these exercises, though Mr Tennyson may not have produced much that he now sets any high value on, yet he made himself master of a great variety of instruments; and his next appearance, only two years after, showed manifest symptoms of the benefit derived both from what he had acquired and from what he had thrown off. The superiority of his second

collection of poems lay not so much in the superior workmanship, (it contained perhaps fewer that were equally perfect in their kind,) as in the general aim and character. If some of the blossom was gone, it was amply repaid by the more certain promise of fruit. Not only was the aim generally larger, the subjects and interest more substantial, and the endeavour more sustained; but the original and distinctive character of the man appeared more plainly. His genius was manifestly shaping a peculiar course for itself, and finding out its proper business; the moral soul was beginning more and more to assume its due predominance—not in the way of formal preaching, (the proper vehicle of which is prose,)—but in the shape and colour which his creations unconsciously took, and the feelings which they were made insensibly to suggest. Considerable faults, however, still remained; a tendency, for example, arising from the fulness of a mind which had not yet learned to master its resources freely, to overcrowd his composition with imagery; a habit also (caused by that dissatisfaction with himself, which, so long as it does not depress the spirits too much, a poet ought to cultivate rather than to repress) of adding, altering, and retouching, till in trying to improve the form he lost the spirit and freshness of his work, and blurred the impression;—to which may be added an over-indulgence in the luxuries of the senses—a profusion of splendours, harmonies, perfumes, gorgeous apparel, luscious meats and drinks, and such ‘creature comforts,’ which rather pall upon the sense, and make the glories of the outward world a little too obscure, and overshadow the world within.

In all these respects, the decade during which Mr Tennyson has remained silent has wrought a great improvement. The handling in his later pieces is much lighter and freer; the interest deeper and purer;—there is more humanity with less imagery and drapery; a closer adherence to truth; a greater reliance for effect upon the simplicity of nature. Moral and spiritual traits of character are more dwelt upon, in place of external scenery and circumstance. He addresses himself more to the heart, and less to the ear and eye. This change, which is felt in its results throughout the second volume, may in the latter half of the first be traced in its process. The poems originally published in 1832, are many of them largely altered; generally with great judgment, and always with a view to strip off redundancies—to make the expression simpler and clearer, to substitute thought for imagery, and substance for shadow. ‘The Lady of Shalott,’ for instance, (p. 77,) is stripped of all her finery; her pearl garland, her velvet bed, her royal apparel, and her ‘blinding diamond bright,’ are all gone; and certainly, in the simple white

robe which she now wears, her native beauty shows to much greater advantage. The 'Miller's Daughter,' again, is greatly enriched by the introduction of the mother of the lover; and the following beautiful stanzas (which many people, however, will be ill satisfied to miss) are displaced, to make room for beauty of a much higher order:—

' Remember you the clear moonlight
That whiten'd all the eastern ridge,
When o'er the water, dancing white,
I stepp'd upon the old mill-bridge?
' I heard you whisper from above,
A lute-toned whisper, "I am here!"
I murmur'd, "Speak again, my love,
The stream is loud: I cannot hear!"

' I heard, as I have seem'd to hear
When all the under-air was still,
The low voice of the glad new year
Call to the freshly-flowered hill.
' I heard, as I have often heard
The nightingale in leafy woods
Call to its mate, when nothing stirr'd
To left or right but falling floods.'

These, we observe, are away; and the following graceful and tender picture, full of the spirit of English rural life, appears in their place. (The late squire's son, we should premise, is bent on marrying the daughter of the wealthy miller:—)

' And slowly was my mother brought
To yield consent to my desire:
She wish'd me happy, but she thought
I might have look'd a little higher;
And I was young—too young to wed:
"Yet must I love her for your sake;
Go fetch your Alice here," she said;
Her eyelid quiver'd as she spake.
' And down' I went to fetch my bride:
But, Alice, you were ill at ease;
This dress and that by turns you tried,
Too fearful that you should not please.
I loved you better for your fears,
I knew you could not look but well;
And dew's that would have fall'n in tears,
I kiss'd away before they fell.
' I watch'd the little flutterings,
The doubt my mother would not see;
She spoke at large of many things,
And at the last she spok^e of me;

And turning look'd upon your face,
 As near this door you sat apart,
 And rose, and, with a silent grace
 Approaching, press'd you heart to heart.'

(Vol. i. p. 109.)

In the song of the 'Lotos-Eaters'—which, as an expression of the loathing of exertion supposed to be produced by that plant, and as a picturesque and melodious assemblage of all images in nature that can suggest or persuade repose, hardly admitted of improvement—Mr Tennyson has added some touches of deeper significance, indicating the first effects of the physical disease upon the moral and intellectual nature:—

' Dear is the memory of our wedded lives,
 And dear the last embraces of our wives
 And their warm tears : but all hath suffer'd change ;
 For surely now our household hearths are cold :
 Our sons inherit us : our looks are strange :
 And we should come like ghosts to trouble joy.
 Or else the island princes over-bold
 Have eat our substance, and the minstrel sings
 Before them of the ten-years' war in Troy,
 And our great deeds, as half-forgotten things.
 Is there confusion in the little isle ?
 Let what is broken so remain,
 The Gods are hard to reconcile :
 'Tis hard to settle order once again.
 There is confusion worse than death,
 Trouble on trouble, pain on pain,
 Long labour unto aged breath,
 Sore task to hearts worn out with many wars,
 And eyes grown dim with gazing on the pilot-stars.'

(Vol. i. p. 182.)

At the end of the same poem there will be found an alteration of similar tendency, but of still more awful import; where for the flow of triumphant enjoyment, in the contemplation of merely sensual ease and luxurious repose, with which it originally closed, a higher strain is substituted, which is meant apparently to show the effect of lotos-eating upon the religious feelings. The gods of the Lotos-eaters, it is worth knowing, are altogether Lucretian.

Another instance, more convenient for quotation, of Mr Tennyson's growing tendency to seek deeper for sources of interest is the third and concluding part (which is entirely new) of the 'May Queen.' Many of our readers are probably familiar with the first two parts of this poem; in the latter of which the natural pathos of the situation—a beautiful girl dying in her prime, before life has lost its freshness, before decay and sorrow have

- ' O sweet is the new violet, that comes beneath the skies,
 And sweeter is the young lamb's voice to me that cannot rise,
 And sweet is all the land about, and all the flowers that blow,
 And sweeter far is death than life to me that long to go.
- ' It seem'd so hard at first, mother, to leave the blessed sun,
 And now it seems as hard to stay, and yet His will be done !
 But still it can't be long, mother, before I find release ;
 And that good man, the clergyman, he preaches words of peace.
- * * * * *
- ' He show'd me all the mercy, for he taught me all the sin.
 Now, though my lamp was lighted late, there's One will let me in :
 Nor would I now be well, mother, again, if that could be,
 For my desire is but to pass to Him that died for me.
- ' I did not hear the dog howl, mother, or the death-watch beat,
 There came a sweeter token when the night and morning meet :
 But sit beside my bed, mother, and put your hand in mine,
 And Effie on the other side, and I will tell the sign.
- ' All in the wild March-morning I heard the angels call ;
 It was when the moon was setting, and the dark was over all ;
 The trees began to whisper, and the wind began to roll,
 And in the wild March-morning I heard them call my soul.
- ' For lying broad awake I thought of you and Effie dear ;
 I saw you sitting in the house, and I no longer here ;
 With all my strength I pray'd for both, and so I felt resign'd,
 And up the valley came a swell of music on the wind.
- ' I thought that it was fancy, and I listen'd in my bed,
 And then did something speak to me—I know not what was said ;
 For great delight and shuddering took hold of all my mind,
 And up the valley came again the music on the wind.
- ' But you were sleeping ; and I said, " It's not for them : it's mine."
 And if it comes three times, I thought, I take it for a sign.
 And once again it came, and close beside the window bars,
 Then seem'd to go right up to heaven and die among the stars.
- * * * * *
- ' O look ! the sun begins to rise, the heavens are in a glow ;
 He shines upon a hundred fields, and all of them I know.
 And there I move no longer now, and there his light may shine—
 Wild flowers in the valley for other hands than mine.
- ' O sweet and strange it seems to me, that ere this day is done
 The voice, that now is speaking, may be beyond the sun—
 For ever and for ever with those just souls and true—
 And what is life, that we should moan ? why make we such ado ?
- ' For ever and for ever, all in a blessed home—
 And there to wait a little while till you and Effie come—
 To lie within the light of God, as I lie upon your breast—
 And the wicked cease from troubling, and the weary are at rest.'

These specimens may serve to show that the full blossom which distinguished the 'Poems chiefly Lyrical,' contained no deceitful promise. But it is a small thing that the genius possesses the command of all its instruments, if it be not itself in tune with nature. All that is of true and lasting worth in poetry, must have its root in a sound view of human life and the condition of man in the world; a just feeling with regard to the things in which we are all concerned. Where this is not, the most consummate art can produce nothing which men will long care for—where it is, the rudest will never want audience; for then nothing is trivial—the most ordinary incidents of daily life are invested with an interest as deep as the springs of emotion in the heart—as deep as pity, and love, and fear, and awe. In this requisite Mr Tennyson will not be found wanting. The human soul, in its infinite variety of moods and trials, is his favourite haunt; nor can he dwell long upon any subject, however apparently remote from the scenes and objects of modern sympathy, without touching some string which brings it within the range of our common life. His moral views, whether directly or indirectly conveyed, are healthy, manly, and simple; and the truth and delicacy of his sentiments is attested by the depth of the pathos which he can evoke from the commonest incidents, told in the simplest manner, yet deriving all their interest from the manner of telling. See, for instance, the story of 'Dora,' (vol. ii. p. 33,) and 'The Lord of Burleigh,' (p. 201.) What is there in these that should so move us? Quarrels and reconciliations among kindred happen daily. Hopeless affection, secretly, without complaint, cherished to the end, is a grief commoner than we know of. Many a woman marries above her natural rank, and afterwards dies of a decline. How is it that we do not pass these stories by as *commonplace*—so like what we see every day that we want no more of them? It is because they are disclosed to us, not as *we* are in the habit of seeing such things, through the face they present to the outward world—but as they stand recorded in the silent heart, to whose tragic theatre none but itself (and the poet) may be admitted as a spectator. And many a lighted drawing-room is doubtless the scene of tragedies as deep as Hamlet, which pass into the long night unwept, only for want of some *vates sacer* to make them visible. As a specimen of the same kind of power in quite another style, take the following stanzas, entitled 'A Farewell,' the pathos of which, if it be difficult to account for, it is not the less impossible to resist:—

Flow down, cold rivulet, to the sea,
 Thy tribute wave deliver:
 No more by thee my steps shall be,
 For ever and for ever.

- ' Flow, softly flow, by lawn and lea,
A rivulet, then a river:
No where by thee my steps shall be,
For ever and for ever.
- ' But here will sigh thine alder-tree,
And here thine aspen shiver;
And here by thee will hum the bee,
For ever and for ever.
- ' A hundred suns will stream on thee,
A thousand moons will quiver;
But not by thee my steps shall be,
For ever and for ever.'

A simple touch this—a mere ejaculation of tender emotion, which seems as if it might have escaped from any body; yet it shows, as well as a more elaborate performance could have done, how truly the poet's feeling vibrates in sympathy with nature; otherwise how should so simple a tone out of his heart awaken such an echo in our own?

But there are four poems in which Mr Tennyson has expressly treated of certain morbid states of the mind; and from these we may gather, not indeed his creed, but some hints concerning his moral theory of life and its issues, and of that which constitutes a sound condition of the soul. These are the 'Palace of Art,' the 'St Simeon Stylites,' the 'Two Voices,' and the 'Vision of Sin.' The 'Palace of Art' represents allegorically the condition of a mind which, in the love of beauty and the triumphant consciousness of knowledge and intellectual supremacy, in the intense enjoyment of its own power and glory has lost sight of its relation to man and to God.

- ' I built my soul a lordly pleasure-house,
Wherein at ease for aye to dwell.
I said, "O soul, make merry and carouse,
Dear soul, for all is well!"

* * * *

- ' To which my soul made answer readily:
"Trust me, in bliss I shall abide
In this great mansion, that is built for me,
So royal-rich, and wide."

There she gathers round her whatever is beautiful in nature, perfect in art, noble and moving in history—all objects, from all climates and ages, that can inspire the imagination, flatter the senses, or charm the heart; in the midst of which she 'lives alone unto herself,' till she feels beyond the reach of change or chance.

- ' Then of the moral instinct would she prate,
 And of the rising from the dead,
 As hers by right of full accomplished Fate;
 And at the last she said :
- ' " I take possession of men's minds and deeds.
 I live in all things great and small.
 I sit apart, holding no forms of creeds,
 But contemplating all." "

The very remembrance of human misery and weakness—" the riddle of the painful earth "—though it crosses her thoughts, does not disturb her triumph. But such immunity from the common yoke of mortality is not given to mortal; for a man (as our author expresses it elsewhere)

' is not as God ;
 But then most Godlike, being most a man.'

The sin of self-absolution from human cares and duties, finds its appropriate retribution in the despair which the sense of being cut off from human sympathy, when it once forces itself on the mind, inevitably brings;—a truth which Shakspeare has indicated in the case of Richard III.; when he ' that had no brother, that was like no brother,'—" he that had neither pity, love, nor fear,"—was shaken by his conscience in sleep.

' There is no creature loves me ;
 And if I die no soul shall pity me :—
 I shall despair.'

We have not room for the whole passage in which Mr Tennyson describes the despair of this soul, when, in the midst of her solitary delights, ' deep dread and loathing of her solitude ' fell upon her. But the concluding stanzas (as conveying the moral, and especially as showing that it is not the enjoyment, but the *selfish* enjoyment, of her intellectual supremacy—not the gifts, but the gifts as divorced from charity—which he holds to be sinful) must find a place.

- ' Back on herself her serpent pride had curl'd.
 " No voice," she shriek'd in that lone hall,
 " No voice breaks thro' the stillness of this world :
 One deep, deep silence all ! "
- ' She, mouldering with the dull earth's mouldering sod,
 Inwapt tenfold in slothful shame,
 Lay there exiled from eternal God,
 Lost to her place and name ;
- ' And death and life she hated equally,
 And nothing saw, for her despair,
 But dreadful time, dreadful eternity,
 No comfort any where ;

- ' Remaining utterly confused with fears,
And ever worse with growing time,
And ever unrelieved by dismal tears,
And all alone in crime ;
- ' Shot up as in a crumbling tomb, girt round
With blackness as a solid wall,
Far off she seem'd to hear the dully sound
Of human footsteps fall.
- ' As in strange lands a traveller walking slow,
In doubt and great perplexity,
A little before mornrise hears the low
Moan of an unknown sea.
- ' And knows not if it be thunder or a sound
Of stones thrown down, or one deep cry
Of great wild beasts ; then thinketh, " I have found
A new land, but I die."
- ' She howl'd aloud, " I am on fire within,
There comes no murmur of reply.
What is it that will take away my sin,
And save me lest I die ?"
- ' So when four years were wholly finished,
She threw her royal robes away.
- .. " Make me a cottage in the vale," she said,
" Where I may mourn and pray.
- ' " Yet pull not down my palace towers, that are
So lightly, beautifully built :
Perchance I may return with others there,
When I have purged my guilt."

As the ' Palace of Art ' represents the pride of voluptuous enjoyment in its noblest form, the ' St Simeon Stylites ' represents the pride of asceticism in its basest. To shadow forth dramatically the faith, the feelings, and the hopes, which support the man who, being taught that the rewards of another life will be proportioned to the misery voluntarily undergone in this, is bent on qualifying himself for the best place—appears to be the design, or the running idea, of the poem. It is done with great force and effect ; and, as far as we can guess, with great fidelity to nature. Of this, however, we must confess that we are not competent judges. Holding, as we do, that all self-torment inflicted for its own sake—all mortification beyond what is necessary to keep the powers of self-command and self-restraint in exercise, and the lower parts of our nature in due subjection to the higher—is a thing unblest ; and that the man who thinks to propitiate God by degrading his image and mak-

ing his temple loathsome, must have his whole heart out of tune, and be in the right way to the wrong place—we must confess that we cannot so expand our human sympathy as to reach the case of St Simeon. We notice the poem for the light it throws on Mr Tennyson's feeling with regard to this disease of the mind; which, if we collect it rightly—(for, as the saint has all the talk to himself, it cannot of course be conveyed directly)—is, that selfishness, sensuality, and carnal pride, are really at the bottom of it; and this, however paradoxical it may appear, we believe to be quite true.

In the 'Two Voices' we have a history of the agitations, the suggestions, and counter-suggestions, of a mind sunk in hopeless despondency, and meditating self-destruction; together with the manner of its recovery to a more healthy condition. Though not one of the most perfect, it is one of the most remarkable of Mr Tennyson's productions. An analysis of the arguments urged on either side, would present nothing very new or striking; and in point of poetical management—though rising occasionally into passages of great power and beauty, and though indicating throughout a subtle and comprehensive intellect, well fitted for handling such questions—it appears to us to be too long drawn out, and too full of a certain tender and passionate eloquence, hardly compatible with that dreary and barren misery in which the mind is supposed to be languishing. The dry and severe style with which the poem begins, should have been kept up, we think, through the greater portion of the dialogue, especially on the part of the 'dull and bitter' voice, which sustains the character of a tempting Mephistopheles. These, however, are points of minute criticism, into which we have not room to enter. What we are at present concerned with, is the moral bearing of the poem. The disease is familiar; but where are we to look for the remedy? Many persons would have thought it enough to administer a little religious consolation to the diseased mind; but unfortunately despondency is no more like ignorance than atrophy is like hunger; and as the most nutritious food will not nourish the latter, so the most comfortable doctrine will not refresh the former. Not the want of consoling topics, but the incapacity to receive consolation, constitutes the disease. Others would have been content to give the bad voice the worst of the argument; but, unhappily, all moral reasoning must ultimately rest on the internal evidence of the moral sense; and where this is disordered, the most unquestionable logic can conclude nothing, because it is the first principles which are at issue;—the *major* is not admitted. Mr Tennyson's treatment of the case is

more scientific. We quote it, not indeed as new or original,—(it has been anticipated, and may perhaps have been suggested, by Mr Wordsworth, in the memorable passage at the close of the fourth book of the ‘Excursion,’)—but for the soundness of the philosophy, and the poetic beauty of the handling. The dialogue ends, (as such a dialogue, if truly reported, must always do,) leaving every thing unsettled, and nothing concluded. Then the speaker, having answered the tempter’s arguments, but gathered no practical assurance from his own, opens the window and looks forth into the early Sabbath morning:—

- ‘ And I arose, and I released
The casement, and the light increased
With freshness in the dawning east.
- ‘ Like soften’d airs that blowing steal,
When meres begin to uncongeal,
The sweet church-bells began to peal.
- ‘ On to God’s house the people prest.
Passing the place where each must rest,
Each enter’d like a welcome guest.
- ‘ One walk’d between his wife and child,
With measured footfall firm and mild,
And now and then he gravely smiled.
- ‘ The prudent partner of his blood
Lean’d on him, faithful, gentle, good,
Wearing the rose of womanhood.
- ‘ And, in their double love secure,
The little maiden walk’d demure,
Pacing with downward eyelids pure.
- ‘ These three made unity so sweet,
My frozen heart began to beat,
Remembering its ancient heat.
- ‘ I blest them, and they wander’d on :
I spoke, but answer came there none :
The dull and bitter voice was gone.
- ‘ A second voice was at mine ear,
A little whisper, silver-clear,
A murmur, “ Be of better cheer.”
- ‘ As from some blissful neighbourhood,
A notice faintly understood,
“ I see the end, and know the good.”
- ‘ A little hint to solace woe,
A hint, a whisper breathing low,
“ I may not speak of what I know.”

- ' Like an Æolian harp, that wakes
No certain air, but overtakes
Far thought with music that it makes.
- ' Such seem'd the whisper at my side :
" What is it thou knowest, sweet voice?" I cried.
" A hidden hope," the voice replied :
- ' So heavenly-toned, that in that hour
From out my sullen heart a power
Broke, like the rainbow from the shower.
- ' To feel, although no tongue can prove,
That every cloud that spreads above
And veileth love, itself is love.
- ' And forth into the fields I went,
And Nature's living motion lent
The pulse of hope to discontent.
- ' I wonder'd at the bounteous hours,
The slow result of winter showers :
You scarce could see the grass for flowers.
- ' I wonder'd, while I paced along.
The woods were fill'd so full with song,
There seem'd no room for sense of wrong.
- ' So variously seem'd all things wrought,
I marvell'd how the mind was brought
To anchor by one gloomy thought ;
- ' And wherefore rather I made choice
To commune with that barren voice
Than him that said, " Rejoice ! rejoice ! "

The ' Vision of Sin ' touches upon a more awful subject than any of these ;—the end, here and hereafter, of the merely sensual man :—

- ' I had a vision when the night was late :
A youth came riding toward a palace-gate.
He rode a horse with wings, that would have flown,
But that his heavy rider kept him down.
And from the palace came a child of sin,
And took him by the curls, and led him in.'

Then follows a passage of great lyrical power, representing, under the figure of *Music*, the gradual yielding up of the soul to sensual excitement, in its successive stages of languor, luxury, agitation, madness, and triumph :—

- ' Till, kill'd with some luxurious agony,
The nerve-dissolving melody
Flutter'd headlong from the sky.'

This is the sensual life to which the youth is supposed to be given up. Meantime, the inevitable, irrevocable judgment comes slowly on,—not without due token and warning, but without regard :—

- . ' And then I look'd up toward a mountain-tract,
- . That girt the region with high cliff and lawn :
- I saw that every morning, far withdrawn
- Beyond the darkness and the cataract,
- God made Himself an awful rose of dawn, '
- Unheeded : and detaching, fold by fold,
- From those still heights, and, slowly drawing near,
- A vapour heavy, hueless, formless, cold,
- Came floating on for many a month and year,
- Unheeded ; and I thought I would have spoken,
- And warn'd that madman ere it grew too late :
- But, as in dreams, I could not. Mine was broken,
- When that cold vapour touch'd the palace-gate,
- And link'd again. I saw within my head
- . A grey and gap-tooth'd man as lean as death,
- Who slowly rode across a wither'd heath, .
- And lighted at a ruin'd inn——'

This is the youth, the winged steed, and the palace—the warm blood, the mounting spirit, and the lustful body—now chilled, jaded, and ruined ; the cup of pleasure drained to the dregs ; the senses exhausted of their power to enjoy, the spirit of its wish to aspire : nothing left but 'loathing, craving, and rottenness.'* His mental and moral state is developed in a song, or rather a lyric speech, too long to quote ; and of which, without quoting, we cannot attempt to convey an idea ;—a ghastly picture (lightened only by a seasoning of wild inhuman humour) of misery and mockery, impotent malice and impenitent regret ; 'languid enjoyment of evil with utter incapacity to 'good.'† Such is his end on earth. But the end of all ?

- . ' The voices grew faint : there came a further change ;
- Again arose the mystic mountain-range :
- Below were men and horses pierced with worms,
- And slowly quickening into lower forms ;
- By shards and scurf of salt, and scum of dross,
- Old plash of rains and refuse patch'd with moss.
- Then some one said, " Behold ! it was a crime
- Of sense avenged by sense that wore with time."
- Another said, " The crime of sense became
- The crime of malice, and is equal blame."

* Berkeley.

† Lamb.

And one: "He had not wholly quenched his power;
 A little grain of conscience made him sour."
 At last I heard a voice upon the slope
 Cry to the summit—"Is there any hope?"
 To which an answer peal'd from that high land,
 But in a tongue no man could understand; *
 And on the glimmering limit, far-withdrawn,
 God made Himself an awful rose of dawn.'

Into the final mysteries of judgment and of mercy let no man presume to enquire further. Enough for us to know what for us is evil. Be the rest left to Him with whom nothing is impossible!

We have dwelt longer on these four poems than either their prominence or their relative poetic merit would have led us to do; because, though they may not show the author's art in its most perfect or most attractive form, they show the depth from which it springs; they show that it is no trick of these versifying times—born of a superficial sensibility to beauty and a turn for setting to music the current doctrines and fashionable feelings of the day; but a genuine growth of nature, having its root deep in the pensive heart—a heart accustomed to meditate earnestly, and feel truly, upon the prime duties and interests of man.

Having ascertained the depth and quality, we should next enquire into the compass, of his power, and the manner in which it has hitherto been most completely and characteristically developed. But we have already transgressed our limits, and must leave the book to speak for itself on these points. Such poems as the 'Morte d'Arthur,' the 'Pictures,' the 'Talking Oak,' the 'Day Dream,' and many others, could derive no additional interest from any comment of ours; and if there be persons to whom a few of the lighter pieces—such as 'Audley Court,' 'Walking to the Mail,' 'Will Waterproof,' or 'Amphion'—appear idle and foolish, we see no help for it; nor, in the mean time, any harm. Those whose humours (to borrow Falstaff's phrase) they happen to 'jump with,' will relish them: the rest may pass on.

We cannot conclude without reminding Mr Tennyson, that highly as we value the *Poems* which he has produced, we cannot accept them as a satisfactory account of the gifts which they show that he possesses; any more than we could take a painter's collection of *studies* for a picture, in place of the picture itself. Powers are displayed in these volumes, adequate, if we do not deceive ourselves, to the production of a great work; at least we should find it difficult to say which of the requisite powers is wanting. But they are displayed in fragments and

snatches, having no connexion, and therefore deriving no light or fresh interest the one from the other. By this their effective value is incalculably diminished. Take the very best scenes in Shakspeare—detach them from the context—and suppose all the rest to have perished, or never to have been written—where would be the evidence of the power which created *Lear* and *Hamlet*? Yet, perhaps, not one of those scenes could have been produced by a man who was not capable of producing the whole. If Mr Tennyson can find a subject large enough to take the entire impress of his mind, and energy persevering enough to work it faithfully out as one whole, we are convinced that he may produce a work, which, though occupying no larger space than the contents of these volumes, shall as much exceed them in value, as a series of quantities multiplied into each other exceeds in value the same series simply added together.

ART. III.—*Sixth, Seventh, and Eighth Reports of the Poor-Law Commissioners.* Ordered by the House of Commons to be printed.

IT does great honour to the British people that the increase of their influence in the government has been shown principally by legislation for the sake of the poor, the weak, and the unrepresented. The abolition of Slavery, the regulation of Childrens' Labour, and the introduction of a Poor-Law into Ireland—the three most important measures of this kind which have been carried during the last ten years—all originated in the public will, of which the Administration was not the guide, but the interpreter. All of them were measures involving the certainty of considerable sacrifice, and the contingency of much more; for they were experiments with respect to which every one could see that the results must be important; though no one could say precisely what would be the details of their direct operation, or what might be their remote or collateral consequences. Among these measures, we are inclined to think that the Irish Poor-Law was the one to which the Government looked with the greatest anxiety. About fifteen years ago, when such a measure was first seriously considered, a poor-law seemed to be rapidly destroying the wealth and morals of England. Of the three principal modes in which public assistance can be afforded—out-door relief, the workhouse, and emigration—the two first had

been tried in England, and had apparently failed, and the last was alarming by its immediate expense.

The Committee of the House of Commons, which produced the valuable Report on the poor of Ireland in 1828, state that 'The subject which has occupied the greater portion of the time of your committee, and that on which the most prolonged examination of witnesses has taken place, is the enquiry how far the poor-laws of England or of Scotland, the principle of the 43d Elizabeth, or any other system of assessment, can be introduced into Ireland with beneficial consequences.'

They do not venture, however, to draw any conclusion from their premises, and end by recommending that the consideration of the subject should be resumed at a future time; and that, in the mean time, the most severe and scrutinizing attention should be applied to the evidence which they had collected.

But, though they do not dare to deal with a Poor-Law, they recommend a Vagrant-Law, after stating, that the existing law is inefficient. The demise of the Crown prevented the question from being reconsidered during that Parliament, and the short-lived one which followed was fully occupied by the Reform Bill. In 1832, Mr Sadler moved a resolution declaring the expediency of a poor-law in Ireland; but he was opposed by the Government, and defeated. The discussion, however, excited great attention within the House, and, what on such a subject was more important, without; and the next year it was thought necessary to appoint the well-known Commission of Enquiry. In 1835 the Commissioners presented their first report, accompanied by selections from the evidence which they had collected. Nearly one half of the volume is devoted to Mendicancy. The evidence describes almost every part of Ireland as overrun by beggars, consisting principally of aged or impotent men, or of families where the man, though able-bodied, is absent or out of work. It states that they avoid the dwellings of the wealthier classes, who are protected by walls or gates, or at least by closed doors; but that they make their way into the houses of tradesmen and small farmers, and the hovels of labourers, and obtain milk and meal where such things are to be found, and potatoes every where. Refusal seems to be almost unknown, so that a beggar's income is equal at least to a handful of potatoes for every house which he can intrude into. The whole burden of supporting the poor is stated to fall on the middling and small farmers, the shopkeepers, and, above all, on the labourers themselves.

With one exception, that of the town of Derry, the laws against vagrancy are stated to be wholly unexecuted. Many of the witnesses were themselves on the verge of mendicancy.

All stated that while they had food they must give it. Religious feelings, and the belief that, by some special intervention of Providence, charity, however profuse, does not impoverish, seem to be the principal motives. The following very striking extracts present a sample of the evidence :—

‘ I consider that I should be in greater want if I gave none away than if I gave a great deal away; for I think that charity never shortens the quantity.’* .

‘ If a meal were going on, and a beggar called, you would never miss what you gave away. I gave away myself part of the cake made of a quart of meal, and at the time I had no more victuals in the house, nor the hope of getting it the next day; but I hoped that, as God gave it me that day, he would give me more next.’†

‘ Many give that can ill afford it, but God gives it back to them.’‡

‘ It will never lessen [impoverish] me what I have given in the honour of God, and it is a great delight to me to hear the beggar say good prayers in honour of my soul.’§

‘ Many persons stated that they had never been a night without some beggar in their houses. One family, in particular, was mentioned in which were nine children, well brought up, yet the house had never been without one or two beggars in it.’||

‘ I know persons that would be glad to have beggars in their houses every night of the year; they conceive they carry a blessing with them. They are generally admitted with welcome into any poor man’s house, and sometimes stay a week or longer.’¶

‘ It is true that the beggar may be more certain of his next meal than one of ourselves, but we would think it a sin to refuse him.’**

‘ I was reduced to great distress last summer myself; I begged; and, if it be the will of God, may expect to do so next summer too; yet, when a beggar asks for God’s sake, I cannot hold back part of what I have. The poorest man among us, if he has any charity in him, must give at least one stone of potatoes a-week in winter.’††

‘ The farmer, as he likes the beggar’s benediction, so he fears his curse. The ferrywoman at Valentia, who has orders not to convey any beggars into the island, is afraid to refuse them a passage lest a curse should sink the boat.’‡‡

The Reverend Mr Mahoney (parish priest of Listowel) observed, that ‘ he himself would be afraid of the beggar’s curse, for every poor person represents the Almighty.’§§

* Selection of Parochial Examinations, by Commissioners for Enquiry into the Condition of the Poorer Classes in Ireland.—P. 283.

† Selections, p. 284.

‡ Appendix to the first Report of the Commissioners of Enquiry, p. 753.

§ Ibid. p. 627.

|| Ibid. p. 766.

¶ Selections, p. 290.

** Ibid. p. 292.

†† Ibid. p. 293.

‡‡ Ibid. p. 384.

§§ Appendix, p. 687.

In 1836 the Commissioners delivered their final Report, in which they describe a destitution so extensive as to be both a ground for legislative interference, and a circumstance rendering such interference most difficult and most dangerous.

They begin by considering the means by which relief may be afforded to the able-bodied and their families. They first consider and reject the workhouse system as unnecessary as a test, and as too expensive if accepted, and illusory if refused.

They then consider and reject still more decidedly a legal system of out-door relief. They state that it would destroy the industry and usefulness of the labourer; would absorb the whole rental of the country; would render potatoes and cheap clothing the only commodities in demand; would extinguish manufactures and commerce, and within a very short period produce universal ruin.

There remained emigration, and this is the immediate remedy on which the Commissioners rely. They propose that all poor persons, whose circumstances require it, shall be furnished with a free passage, and the means of settling themselves in a British non-penal colony: That the laws with respect to vagrancy be altered, and that penitentiaries be established, to which vagrants, when taken up, shall be sent: That they be charged with vagrancy before the next Quarter-Sessions, and, if convicted, be removed to such colony, not penal, as the Colonial Office may approve, and that the wages of the adults be attached for payment of the expenses.

Having thus dealt with the able-bodied and their families, the Report proposed extensive schemes of local improvement; and that a legal provision should be made for the relief and support of persons labouring under bodily infirmities, for the support of Penitentiaries to which vagrants should be sent, and for the maintenance of deserted children.

These recommendations had in view only the able-bodied and their families, and the impotent by accident or disease. For the relief of those who, though not comprised in those classes, are yet fit objects of charity, the Report proposed the encouragement of voluntary associations, to be placed in connexion with the Poor-Law Commissioners; to be subject to their regulation and control; and to be assisted by them by grants from the national rate, in some proportion to the sums voluntarily contributed. A very small minority of the Commissioners were opposed to this suggestion, and the consequence was that it was mentioned shortly and dryly in the Report, and developed only in a subsequent paper, called Appendix H.

It appears to us, that the proposal which was powerfully, we

are almost inclined to say unanswerably, supported in this paper, has never been sufficiently, or even seriously considered. We earnestly recommend it to the attention of the Government, when they undertake the further improvement of the Irish poor-law; and to that of the Commissioners on whom the arduous and responsible task of Reporting on the poor-laws of Scotland has been imposed.

It is to be observed, that in this Report, and indeed throughout the discussion on Irish poor-laws, the words 'vagrant' and 'mendicant,' and 'vagrancy' and 'mendicancy,' though etymologically different, are generally used as synonymous. According to the English law, mendicancy, and many other acts which may be committed by a person who never travels a hundred yards from his house, are punishable as *acts of vagrancy* or vagabondage. The laws prohibiting mendicancy have, therefore, usually been termed the vagrant laws. As this nomenclature is usual, and does not appear likely to produce error, we have not avoided it.

The Government seems to have been alarmed at the extent and the complexity of the recommendations of the Report. But as it was obvious that some measures must be introduced to relieve the destitution, and check the mendicancy which it described, they sent Mr Nicholls to Ireland, with general directions to enquire into the expediency of its proposals; and with a special instruction to consider whether a rate might be usefully directed to the erection and maintenance of workhouses for all those who sought relief as paupers.

Mr Nicholls made his Report in November 1836. He agreed with the Commissioners in describing the mendicancy of Ireland as a frightful evil—as an evil hardly to be overrated. 'Mendicancy,' he says, 'and indiscriminate almsgiving, seem to have produced the same results in Ireland, as indiscriminate relief produced in England; the same reckless disregard of the future, the same idle and disorderly conduct, the same proneness to outrage and resistance to lawful authority.' He agreed also with the Commissioners, that the burden of supporting the poor fell exclusively on the poorer classes. 'There is,' he says, 'in reality, a compulsory rate now levied in Ireland, though not sanctioned by legal enactment; and no occupier, however limited his means, turns away the mendicant empty-handed. There is an almost superstitious dread of doing so; and this operates as compulsorily as the law would act in the raising a regular rate.' He differed from them as to the inutility of the workhouse as a test. He believed much of the apparent distress to be fictitious, or the result of idleness. He believed that the

establishment of workhouses would enable the Legislature to suppress mendicancy; and recommended that it should be generally prohibited, and that the central authority should be responsible for bringing the act into operation in the several unions, as the workhouses became fitted for the reception of inmates. 'In furtherance of this object,' he adds, 'the police should act in close communication with the boards of guardians, and the central authority should so regulate the measure, that the new itinerant mass of mendicants who may be really unable to provide for themselves, should be placed in the several workhouses, and the able-bodied but idle vagrants, and disorderly persons, should be compelled to provide for their own subsistence.' And he expressed a strong belief, that a rate for this purpose, divided between the landlord and the occupier, would relieve the occupier from more than half of what he then contributed in the form of alms, and would be still more beneficial to the landlord, by restoring the dominion of the law, and enabling him to be master of his estate.

The Irish Poor-Law Bill of the first Session of 1837, was founded on this report. It authorized the erection of workhouses, and enacted, that when the commissioners should have declared a workhouse to be fit, the guardians should take order for the relieving at their discretion, and setting to work in such workhouse, such persons as they should deem to be destitute poor. It further enacted, that every person, able, wholly or in part, to maintain himself, or any other person whom he might be liable to maintain, and wilfully neglecting so to do, by which neglect he or such person should become destitute, and relieved at the expense of the union; or who, not being destitute, should apply for relief within a union on the plea of destitution; or who should beg, or set a child to beg, within a union containing a workhouse capable of receiving him; should, on conviction at petty sessions, be imprisoned with hard labour for a month. Repetition of the offence, or gathering alms on false pretences, were punishable with three months' such imprisonment.

In the speech by which Lord John Russell introduced the bill, on the 13th February 1837, he proposed, as the ultimate result of the measure when in full operation, that to all destitute persons seeking relief subsistence should be given, and that they should not be allowed to disturb society by seeking it by any other means. But that, until that could be done, vagrancy should not be altogether prohibited; and therefore that persons should not be prohibited from seeking alms, if they could show that they had been to the workhouse, or applied to the guardians and had been refused relief. 'If the scheme,' he added,

‘succeed, we shall be hereafter and finally able to prohibit vagrancy.’

In the debate on the second reading, on the 1st of May, Lord John stated the three advantages of a poor-law to be—that it relieves the extremely destitute; that it gives a right to prohibit vagrancy; and that it brings the landowners and the labourers into closer contact. It was subsequently, however, thought advisable that the vagrancy clauses should be made the subject of a separate bill. They were, therefore, passed over in the committee; and ultimately the progress of the whole measure was stopped by the dissolution.

In the autumn of 1837, Mr Nicholls made a second visit to Ireland. It has been seen that, in his first Report, made in 1836, he proposed a Poor-Law as a means of suppressing mendicancy. The same view is taken in the Report which he made in 1837. ‘To establish a poor-law,’ he says, ‘without at the same time suppressing mendicancy, would be very imperfect legislation, especially with reference to the present condition of the Irish people. To make a provision for relieving mendicants at the public charge, without at the same time preventing begging, would leave the Irish cottier exposed to much of the pressure which he now sustains; for the mendicant classes generally, if permitted, would prefer the vagrant life to which they are accustomed, to the order, cleanliness, and constraint of a work-house. To suppress mendicancy, therefore, constitutes an essential part of the proposed system of poor-laws.’

When the bill was re-introduced in the Parliament which met in November 1837, the separation of the mendicancy clauses was abandoned, and they were reinserted without alteration. They were, in fact, the basis on which the bill was founded. ‘In every country,’ said Lord John Russell in his opening speech, ‘recovering from want, there must be many persons in a state of destitution. The question arises, what provision can be made for this class? If you make no provision, you cannot say that such persons have not the right to receive from their neighbours necessary food and raiment, and you thereby leave in the state a vast number of persons, some of whom exercise fairly, and from the utmost need, the right of asking for alms, but many of whom are imposters, who prey on the rest of the community. Besides this, you leave one department of police neglected; for you leave these persons at one time beggars, to become at another plunderers. By furnishing relief for the destitute, you obtain the power of preventing and punishing mendicancy. When the means of existence are supplied, no man will have a right to become a common beggar or to prey

‘on the property of the country.’ In his speech on the second reading of the bill, on the 5th of February 1838, he stated it to be just, to be a part of the law of England, and to be consonant to humanity, that relief should be afforded to destitution ; but that, if persons who do not want that relief, or who refuse to accept it, persist in infesting the country, some punishment should be inflicted on them. He proposed to put the law on a just footing, and while enacting that vagrancy should not be permitted, to provide also that destitution should be relieved. The principle, he repeated, on which a poor-law ought to be founded was, that the state should relieve destitution, and at the same time prevent vagrancy.

Nothing could be weaker—in fact, more really insignificant—than the few objections, in the debate, to the clauses suppressing vagrancy. Some expressions of dissent from Sir F. Shaw and Mr Miles, and some declamation from Sir W. Brabazon, Sir F. Burdett, and Mr Hindley, were the whole amount of opposition in debates which lasted from December till March—debates in which almost every other portion of the bill was fiercely and pertinaciously attacked. But when the Committee had reached the clauses on the 2d of March, they were struck out, without explanation or even remark. A few days afterwards, on the 9th of April, Mr Redington moved their restoration ; but Lord Morpeth begged him to withdraw the motion, on the ground that it was the intention of Government to bring in a separate measure for the suppression of vagrancy. The bill, therefore, passed the Commons without the enactments which, till then, had been supposed to be the vital portion of the measure.

When the bill was first read in the House of Lords, in May, Lord Melbourne stated it to be the foundation of a measure for the suppression of mendicancy. And the Duke of Wellington, admitting that, without a Poor-Law, mendicancy could not be put down, expressed his hope that, in the course of the session, the Government would give the House reason to believe that a measure for that purpose would be brought in. The opinions on this subject in the Lords were, indeed, as decidedly expressed as in the Commons. Lord Hatherton said, that he agreed with the Duke of Wellington that the bill could not work unless clauses were inserted to suppress mendicancy and vagrancy ; or some separate measure were passed for that purpose. Lord Clanricarde urged that such clauses should be inserted in the bill before the House ; and Lord Melbourne’s answer was, that he was not prepared to say whether they would be comprised in that bill, or form the matter of a separate measure. The subject, however, seems to

have been lost sight of, and the bill passed in the form in which we now see it.

On the 19th of March 1840, the Administration performed the promise which they had made in each House, that the mendicancy portion of the Poor-Law measure should be brought forward. Lord Morpeth, 'in pursuance,' as he said, 'of the understanding when the poor-law passed, that the mendicancy clauses should be embodied in a separate bill; in pursuance of the Reports of the Poor-law Commissioners, and particularly of the resident commissioner; and lastly, in pursuance of the suggestions of many large bodies, and many boards of guardians already formed in Ireland,' asked leave to bring in a bill for the suppression of mendicancy in Ireland.

The bill was far less comprehensive than the clauses struck out from the Act of 1838. It merely enacted, that any person begging, or setting a child to beg, in a union containing a work-house capable of receiving him, should be imprisoned, with hard labour, for one month; and that a person repeating the offence, or going about on false pretences as a collector of charitable contributions, or obtaining alms by the exposure of wounds or deformity, should be imprisoned, with hard labour, for three months. It was read, the first time, on the 20th of March 1840, but was coldly received by Sir R. Peel, without whose active co-operation it could not, in the then state of parties, have been passed. A short time afterwards, Lord Morpeth withdrew it—'not,' as he said, 'from any doubt as to its expediency, or even as to its necessity, but in the expectation that subsequent events would make that necessity evident to all parties.'

It will be observed, that, throughout these discussions, it is assumed that Ireland is now practically without a law restraining mendicancy. There are, indeed, such laws in the statute-book; but defects in their machinery, the severity of their punishments, and the absence in their enactments of any reference to a legal provision for the poor, have rendered them inefficient. The assumption, therefore, is correct.

The abandonment of the mendicancy clauses has been accounted for, by imputing to their opponents a belief, that when once a provision was made for the destitute, the practice of indiscriminate almsgiving would cease without legal interference. Such a belief could have been entertained only by those who had attended little to the real grounds on which the practice depends.

'I think,' says Mr St George, 'that religious feelings would induce many to relieve a beggar even at the door of a poor-house.*'

* Selections, p. 284.

‘ Though there were a legal relief for the destitute, I should still like to do something for the Last Day, if I could afford it. The way would be this :—A beggar would come to you, and you would refer him to the institution. “ Oh, the curse of God ! ” he would say, “ on itself and its institutions ; not a blast of a pipe they’ll give us ; we were better off when we had the run of the country.” You can’t refuse one then ; besides, if you give alms, you’ll get a prayer for it, but the people in that house would pray neither for the quick nor the dead.*

‘ The predominating feeling with the class who give most freely and indiscriminately, is a belief that charity is a duty, the neglecting which would entail misfortunes both here and hereafter. It is believed that the feeling is so strong, that they would not consider themselves relieved from the claims of charity by the establishment of places of refuge for the poor.†

‘ “ If there were a poor-house at the top of the street, where every beggar could get relief, you would rather give than let him go in there ? ” — “ Why, if a poor person came to me, I would give him something, to be sure. ” — “ Even though you knew that a person in real distress could not want relief, and that you were encouraging idleness ? ” — “ Why, to tell you the truth, I think we would be lonesome without them. ‡

* ‘ A fear,’ says Dr M’Hale, the Roman Catholic archbishop of Tuam, ‘ that the applicant is suffering from want, is not the motive for giving alms. Instances of extremity rarely appear at the door. Begging is a trade, and charity is a duty. The peasantry are under the impression (a salutary one,) that “ he that giveth to the poor shall not want, but he that despiseth his entreaty shall suffer indigence.” §

It must never be forgotten that the beggar is not in Ireland—as he is in England—an outcast, whose apparent misery is ascribed to imposture or vice—whose contact is degradation to the humblest labourer—and who is relieved, not so much to satisfy his wants as to get rid of his presence. The Irish cottier considers the beggar as his equal—indeed, as acting a part in the great drama of life which he may have to perform ere long himself. The beggar is not an occasional and unwelcome intruder ; he makes a part, and probably not the least agreeable part, of the society of the family. He has his regular seat before the potato-bowl, his nook near the chimney where a chimney exists, and the corner in which he sleeps, on the straw which he has begged during the day. He brings with him news, flattery, con-

* Selections, p. 338. John Casey. † Ibid. p. 414. John Casey.

‡ Appendix to the First Report of the Commissioners of Enquiry, p. 650.

§ Ibid. 488-490.

versation, prayers, the blessing of God, and the good-will of men. 'The cabin,' as one of the witnesses remarks, 'would be *'lonesome without him.'*

To believe that a practice, the growth of centuries—strengthened by hourly occasions for its exercise, required by public opinion, and enforced by the hope of good and the fear of evil, both temporal and eternal—would cease, while the opportunities for yielding to it remained unremoved; to believe that the small farmer, the shopkeeper, and the labourer, would turn the beggar from his door—would refuse to him the accustomed shelter, or the accustomed handful of meal or potatoes—would incur the pain of witnessing want which he could relieve, the imputation of avarice or hard-heartedness, and the fear of a curse in this world and in the next; and deny himself the pleasure of sympathy, the credit of charitableness, and the certainty of recompense from Heaven, merely because he was told that, some miles off, there was a union workhouse where the applicant could be relieved;—to believe all this, seems to imply an ignorance of human nature which it would be presumptuous to impute to the Legislature.

It must have been observed, that the late Government never ventured to take the opinion of either House on the enactments by which they proposed to suppress mendicancy. They declared those enactments to be necessary; they introduced them in three different bills; but, on every occasion, postponed or withdrew them before the time of discussion. They obviously contemplated a formidable resistance; and, though the debates do not show any ground for such an apprehension, yet we have no doubt that it was well founded. Whether the resistance was expected to arise from misdirected benevolence, or from a desire to obtain a repeal of the Irish poor-law by rendering it inefficient; or, at a later period, from the eagerness of the Opposition to overthrow a tottering Ministry, (and it is probable that many members might have been influenced by one or more of these motives, and some by all of them,)—whatever were the quarters from which resistance was feared, the fear was yielded to; and the boldest administrative measure of modern times—the measure which its enemies denounced as destructive, and which even its friends could scarcely call safe—was passed with the omission of a portion which those who proposed it declared to be essential to its working; and has now been suffered to remain thus imperfect for nearly five years. On almost every other point of the proposed measure opinions had been divided—whether relief should or should not be confined to the workhouse; whether there should or should not be a law of settlement; whe-

ther the right to relief should or should not be acknowledged; whether the rate should be national or local; whether the superintendence of the new law should be in the hands of the English poor-law commissioners or of a separate board; whether the commissioners should or should not have the control of charities;—all these questions were long and fiercely contested. On one point, and on one only, all who wrote, and nearly all who spoke, were unanimous; namely, that the offer of relief must be accompanied or followed by the prohibition of mendicancy. And on that point the act is silent; Lord Morpeth's bill expired after the first reading, and relief and mendicancy are allowed to coexist.

The Commissioners seem to have thought, and we believe that they were right, that it was their business to assume either that the law, even in its imperfect state, would be efficient, or that the defect would be supplied by subsequent legislation. When they dispatched their assistant-commissioners on their first expedition to form unions, they directed them to consider how the new law might be introduced so as soonest to abate the practice of begging; and they instructed them to calm the fears of the future rate-payers, by stating that the mendicant classes were supported by the community, and would be so no more after the establishment of the unions; that the relief would, in future, be afforded in the most economical manner, and only to the really destitute; and that a decrease of the existing charge would be the consequence of the act.*

The Boards of Guardians, however, were less confiding. One of the first uses which the majority of them made of their new powers, was to demand a law for the suppression of mendicancy. We shall here extract a few of their Resolutions:†—

‘Athlone Union, 3d Dec. 1839.

‘The guardians of the union having been called on to raise the necessary sum for building the workhouse, cannot refrain from expressing their unanimous opinion, that it will be of essential importance to the well-working of the poor-law to have a stringent vagrant law, such as now exists in England.’

‘Belfast Union, 10th Dec. 1839.

‘Resolved unanimously—That this board desires to impress upon the poor-law commissioners their opinion of the essential necessity of some legislative enactment for the suppression of vagrancy and mendicancy, from which, when they are called upon to pay rates for the relief of the destitute poor, the payers of rates have a right to be exempt.’

* Instructions to Assistant-Commissioners.—Sixth Report, p. 51—57.

† See Sixth Report of the Poor-Law Commissioners, pp. 417, 418.

‘Limerick Union, 27th Nov. 1839.

‘That it is the opinion of this board, that a legislative enactment for the punishment and suppression of mendicancy is required; but that the penalties of such act should not be enforced against any mendicant unless it can be proved that he has received an offer of the work-house from an authorized person, but has refused the relief so offered him.’

These resolutions, and the opinion of the Commissioners, strongly expressed in their sixth report, were among the grounds on which Lord Morpeth rested his unsuccessful bill of 1840. In their next Report, that of 1841, the Commissioners repeat their conviction,

‘That the suppression of mendicancy is necessary in every union, as soon and so long as the workhouse is open, and available for the relief of the destitute.’ . . . ‘It has been thought’ [they add] ‘by some, that persons will cease to give to beggars when called upon to pay poor-rates.’ . . . ‘We cannot concur in this opinion. We believe that the mendicant classes will continue to levy their contributions, unless the legislature shall protect the rate-payer from demands and threats which, if left to himself, he will be totally unable to withstand.

‘Such being our deliberate view of this question, we observed with regret that the bill for the suppression of mendicancy, which Lord Morpeth introduced into the House of Commons last session, has not been proceeded with. We do not mean to say that the enactment of such a law was indispensably necessary at the time, or even that it will be impossible to continue our operations effectively during the present year without the aid of such a measure; but it is our duty to state to your lordship our conviction, that a law for the repression of mendicancy is essential to the well-working of the poor relief act in Ireland, and that a bill for this purpose ought to be introduced into parliament at the earliest practicable period.’

On the 1st of May 1841, the Commissioners hinted a doubt, whether a vagrant law was not indispensable to the working of the law even during the then current year. Nearly two years have since elapsed without one, and experience has, we think, justified their fears.

On the first opening of the union-houses, mendicancy is said to have nearly ceased in their vicinity. We are told that many of the mendicants were relieved in them; and that many others abandoned their trade. The conduct and the professions of all who had taken any part in the introduction of the law, associated in every mind the prohibition of mendicancy with the public relief of the poor, and it was generally supposed that the act prohibited begging.* The error of course was short-lived. . . Those

who had merely suspended their requisitions renewed them; many tried the workhouse and fled from its confinement to the freedom of vagrancy; and still more crowded to fill up the vacancies, which the opening of the workhouses was known to have occasioned.

The Report of May 1842, the last which has been presented, leads to the painful suspicion that the Irish Poor-Law, like many of its predecessors in England, has aggravated the evil which it was intended to repress; and that there is now in Ireland more mendicancy and more vagrancy than before its enactment.

'In some of the unions,' say the Commissioners, 'after the stock of habitual mendicants had, for the most part, been taken into the workhouses, the rate-payers, finding that the removal of what may be called their own established poor did not protect them from mendicancy, but was followed by inroads of beggars from the surrounding districts, or even from those more distant, have deemed it better that their own poor should be permitted to levy contributions from house to house as heretofore, than that the rate-payers should incur the charge of maintaining them in the workhouses; and at the same time be compelled to make contributions to casual vagrants or mendicant strangers, by whom their doors were beset.'

'In the Kilmallock Union, the rate-payers of a certain electoral division came in a body to the workhouse, and demanded to have their poor delivered up to them, which was accordingly done, and they were carried back, with great demonstrations of rejoicing, to be supported by almsgiving in the accustomed mode. The rate-payers in this case, no doubt expected that, when they had their own beggars about them, they could be protected from the inroads of beggars from other districts, to which they were liable so long as their own habitual stock were maintained in the workhouse.'

We will not fatigue the readers by repeating the remonstrances from Boards of Guardians and other public bodies, appended by the Commissioners to their last Report. They resemble in substance those which we have quoted from the Report of 1841, though, perhaps, marked by more asperity of language. We will extract, however, the Petition from the Castlederg Union, because it alludes to a new source of danger:—

'Your petitioners, after fourteen months' experience, are convinced of the necessity of a law to suppress mendicancy. From mistaken ideas of economy on the part of some of the rate-payers, and dislike of workhouse relief on the part of the mendicants, almsgiving still continues, and the community still suffers from the profligacy which is a necessary accompaniment and consequence of begging.'

The mistaken economy alluded to by the Petition is a notion that it is cheaper to relieve by almsgiving than in the workhouse. Such an opinion, if extensively prevalent among the

rate-payers; would paralyze the whole law. Its progress and its consequences are well pointed out by Mr Clements:—

‘I think it necessary to state, that there is a desire amongst the people, which is on the increase in various parts of the country, to encourage mendicancy rather than incur the expense of maintaining the paupers in the workhouse. When the workhouse was first open, there was but one wish, that of putting down begging. I believe that, if the question were put to any of the people who have now other views, they would say, that they did not desire to encourage mendicancy, but merely to *help their own poor*. It is needless for me to point out to you the impossibility of their continuing such a practice, without perpetuating the system of indiscriminate almsgiving, as has hitherto been the custom.

‘It appears to me that, if a law for the repression of mendicancy be enacted early next session, begging may be put down by degrees with comparative facility; but if the matter be deferred for another year, the difficulty will be very much increased, as the general co-operation which may now be expected might not be obtained when the people shall have formed an opinion, that to give to the beggar in the manner I have described, is preferable to maintaining him in the workhouse.

‘I should observe, that the provision for the maintenance by each electoral division of its own poor, which has always been considered, and I think justly, an improvement to the original bill, will, if some enactment be not made for the repression of mendicancy, become the means of defeating the whole object of the law; because it is on account of different rates made on electoral divisions, according as they have many or few paupers in the house, that the people on whom the higher rate is made are induced to endeavour to diminish it, by encouraging the paupers to leave the house, to be maintained in the manner I have before described. The more general this feeling should become, the more difficult it will be to put down mendicancy. The legal enactment becomes, therefore, the more urgent, in order that it may be made available while the majority of the people are prepared to assist in its enforcement.’

This warning, like all the others, was disregarded. Sir Robert Peel, with his majority of one hundred, was not more bold than Lord John Russell had been with his twenty-one. The session of 1842 passed by, and the evil has been allowed to grow and to extend; until the dangers of the disease and the dangers of the remedy might well alarm a stronger and a more resolute Administration than that to which the welfare of Ireland is now confided.

We are often told that the people of Ireland are lovers of justice; the meaning of which we take to be, not that they are peculiarly prone to act justly towards other people, but that they fiercely resent the appearance of injustice towards themselves. Now, it is impossible to deny that, in this matter, the rate-

payers of Ireland have been treated with injustice. They have been induced, on false pretences, to consent to erect workhouses and levy rates. They were told by all who in Parliament brought forward or supported the law, that it was to be a measure of economy; that they were to be saved in almsgiving more than they would have to pay in rates. The same doctrine was repeated to them by the commissioners, by the assistant commissioners; in short, by all who recommended or even defended the measure. If this statement turns out to be only partially true in any of the unions, and utterly unfounded in the great majority; if the rates are, in general, a mere addition to the alms; if the mendicancy is, in general, altered only by the substitution of a new crowd of beggars—can we wonder that the law should become odious, or that the collection of rates should be opposed by tumult, or by the more effectual machinery of passive resistance?

It is, of course, much easier to prove the necessity of a law for the repression of mendicancy, than to suggest its details. The English vagrancy laws are measures of Police; and comprehend, as we have already remarked, many offences which are not acts either of vagrancy or mendicancy. Since we think that the measure which we demand ought to be introduced as a part of the Poor-Law; and since the repression of the offences in question, however proper or however necessary, has no necessary connexion with the relief of the poor; we would recommend that it should form no part of the measure, and that the bill, at the furthest, aim at nothing beyond the prohibition of vagrancy and mendicancy.

Lord Morpeth's bill, as we have seen, merely prohibited mendicancy; and perhaps, as a first experiment, it may be well not to go beyond it. In one respect, indeed, we would not go quite so far. That bill, following the bills of 1837 and 1838, punishes the beggar if there be within the union a workhouse capable of maintaining him. If the law be passed in that form, the guilt or innocence of mendicancy will depend, not on the conduct of the mendicant, but on a fact of which he may frequently be ignorant. A beggar finds, or hears, that the workhouse is full. He exercises the right which that fact confers on him, and begs in a distant part of the union, perhaps eight or nine miles from the workhouse. While he is doing so, somebody dies in the workhouse, or quits it; it becomes capable of receiving him, and his right to beg is gone without his knowing it. Or perhaps he crosses, in ignorance, the frontier between the union in which the workhouse is full, and begging therefore privileged, and one where the workhouse is empty, and begging therefore an offence. Statistical and geographical errors will be

punishable by imprisonment and hard labour ! We much prefer the proposal made by Lord John Russell in his speech of the 13th of February 1837 ; namely, that no one should be punished for begging if he could show that he had applied at the workhouse, and had been refused legal relief.

It has been suggested to us by an authority which we respect, that every person applying at the workhouse and refused relief, should be entitled to receive a ticket, stating such refusal, its date and its grounds, and such other particulars as the Poor-Law Commissioners shall prescribe ; a duplicate to be kept by the board of guardians. And that, for the space of seven days from the date of such ticket, such person shall not be punishable for the mere act of begging, if, while begging, he show his ticket. We say for the mere act of begging ; for he must remain punishable, notwithstanding the ticket, if his begging were accompanied by any *other* offence. If, for instance, he were begging on false pretences. Otherwise, an impostor who had been refused relief on the express ground of his being an impostor, would, by such refusal, become a privileged beggar. Requiring the beggar while begging to show his ticket, would enable the police to arrest, without further enquiry, all beggars unprovided with tickets, and all whose tickets disclosed facts making their trade an offence.

We are anxious, however, to guard against any impression that we join in the belief which seems to have been felt by all who introduced the Irish Poor-Law, that, if the vagrancy clauses had been retained in that act, mendicancy would have been generally and quickly suppressed ; or that we believe that it would now be so suppressed, if our recommendations were adopted. No law is so dependent for its efficiency on public co-operation as a law prohibiting mendicancy ; and there is no country in which that co-operation can less be relied on than Ireland. We believe that the best chance for the success of the prohibition would have been to incorporate it (as was proposed by all the friends of the measure) in the poor-law. But even then it would have been neglected in some districts, and imperfectly executed in more. We fear that if it be passed this year, it will be less efficient than it would have been in 1838 ; and that if it be delayed till 1844, it will be worse executed than if it become law during the present session. But a well-grounded fear that all the objects of a measure will not be attained, is no reason for abandoning it ; if it appear likely to be beneficial, though less so than it might have been under more favourable circumstances. We believe that there are many parts of Ireland in which a law restraining mendicancy will be faithfully executed. We believe that there are

many others in which it will be executed, imperfectly indeed, but yet usefully, so far as it is executed at all. And we believe that when its utility has been tested by experience—when the Assistant-Commissioners, on whom we rely for the diffusion of sound principles, can urge the authorities in one district to use their power of repressing mendicancy, by pointing out the advantages which have been derived by their neighbours—the law will be more widely and more effectually acted on every year, until at length the evil, though never to be extirpated, may be reduced to the endurable amount in which it obtains in Great Britain. Then, and not till then, will the promise on which the Poor-Law was founded be performed. While a rate for the relief of the poor, levied by the legal collector, is coexistent with a rate levied by the mendicant, the Irish Poor-Law is almost a legislative fraud; since the express ground on which the landholders were required to pay poor-rates was, that they were to be relieved from at least an equivalent expenditure in alms.

Another, or, as we think, an unfortunate deviation from the Report of the Commissioners of Enquiry from the recommendation of Mr Nicholls, and from the bill of 1837, respects the liability to poor-rate of occupiers under the annual value of L.5. The bill of 1837, and that of 1838, as passed by the House of Commons, made the rate in all cases a charge on the occupier, but allowed the L.5 occupier to deduct the whole amount. But this arrangement was altered in the House of Lords, and the occupier under L.5 was put upon the same footing as all others; rendered liable to the rate, and allowed to deduct from his rent a poundage equal to one-half of his assessment.

The principal motive which induced the House of Lords to make this change, appears to have been a fear that the land-ords, in order to escape the rate, might be induced to raise the rents of their small occupiers to L.5, or to eject them, and to consolidate their tenancies. The provisions of the act render the former supposition impossible. The value of every tenement is taken, for the purposes of the Poor-Law, not according to its nominal rent, but according to an estimate formed by valuers appointed under the act. If the nominal rent exceeds that value, the landlord, so far as the rate is concerned, is a loser; for the tenant can deduct from the rent a poundage equal to the poundage of the rate. Thus, if the rate be a shilling in the pound, and the tenement is rated at L.4, but rented at L.5, the occupier is entitled, under the existing act, to deduct two shillings and sixpence, or half of one shilling in the pound on L.5, though he has only four shillings to pay. We have heard of cases where the difference between the nominal

rent and the estimated value has been such, that the occupier has been entitled to deduct more than he has paid.

Those who feared that the expectation of having to pay the whole rate would lead to ejectment, cannot have been aware of the trifling amount of the payments in question. We believe that the occupiers under L.5 in value, are about one-half in number, and one-fifteenth in value of the rate-payers; and that the average yearly rate in Ireland does not amount to fifteenpence in the pound on the rental.* On these data, if, instead of the whole, one half of the rate on tenements under L.5 were thrown on the owners, it would be an additional charge, equal to one-half of a sixteenth of a fifteenth of the rental of Ireland, or one-halfpenny on the pound. Of course, however, the tenancies under L.5 are not equally distributed. In some districts, they form a larger portion in value of the lands than in others, and there may be properties of which they constitute the bulk. But even in these cases, it is highly improbable that the landlord would be governed in the management of his property by the apparent saving of sixpence or sevenpence in the pound. We say the *apparent* saving; for it is clear, indeed it is admitted, that the whole rate, whether partially or wholly advanced by the occupier, is really paid by the landlord. Unless the landlord voluntarily sacrifices rent to influence—a case very rare in Ireland—he obtains from the tenant the full value of the use of the land. Every tax, every burden thrown upon the land, reduces that value, and causes a proportionate diminution of rent. This is true, even in Great Britain, and more obviously so in Ireland; where the competition for land gives it a value, compared with its productiveness, far exceeding what it bears in a country where agriculture is only one of many occupations. On the larger farms, the landlord receives all that the tenant can pay, after reserving an average remuneration for his capital, his skill, and his labour. On the small holdings, where the tenant has neither capital nor skill, the landlord gets all that the tenant can pay after reserving the means of existence. To talk of dividing the rate between such a tenant and his landlord is mockery.

It may be supposed, however, that the smallness of the sum at which the occupiers under L.5 can be assessed, prevents its being felt. And if it could be satisfied in potatoes, or in labour, such would be the case. But it is exacted in money, and money

* We have now accidentally before us the rental of a property in Westmeath, consisting partly of farms and partly of a town. The whole net income is L.7000 a-year. The poor-rate is estimated at sixpence in the pound.

is a commodity almost unknown to the Irish cottier. His family live on the produce of his potatoe-ground, and his cow; they use the fuel which he cuts from the bog, and are clothed principally in the work of their own hands. He pays his rent partly in produce and partly in labour; and for months together has never to purchase or to sell, or even to barter. Under such circumstances, any unexpected call for a money payment, however low, finds him unprepared; and the circumstance, that he is entitled to deduct one-half from his landlord, makes the demand appear to him more vexatious; as it seems an advance made by the poorer man on behalf of the richer.

In England, the occupier under L.5 is seldom rated, or, if rated, is generally excused. The Poor-Law Commissioners, following the plausible advice of the English Commissioners of Enquiry, endeavoured at first to enforce the rating of all occupiers; but they found the attempt resisted or evaded, often by parochial relief given in order to pay the rate, and have ultimately abandoned it. How can we expect that a practice which cannot be maintained in a population remarkable for the constant use of money, and for a money income, large when compared to the average money incomes of the labouring classes in the rest of Europe, will be submitted to in a country equally remarkable for the absence of both?

There seem to be three modes of meeting the difficulty. First, To rate the occupier under L.5, and to allow him to deduct the whole amount from the rent which he has to pay to his immediate landlord; Secondly, To excuse him altogether; Thirdly, To rate the immediate landlord.

The first plan, rating the occupier, and allowing him to deduct, was, as we have seen, that proposed by the Commissioners of Enquiry, and adopted by the Government and by the House of Commons. The objections are those which we have mentioned—the difficulty and expense of exacting a money payment from a very poor population, little accustomed to its use; and the hardship of making the poorer man advance what is due from the richer. To which must be added, the frequent suspicion of fraud or oppression on the part of the landlord, who, where there is a lease, is always tempted to refer the deduction to some old claim or hopeless arrear.

The second plan is, as we have stated, usual in England. It is open to the obvious objections, that it must increase the burden on all other classes, and afford a new motive to subdivision, encumbrances, or at least to retard their consolidation. With respect to the first objection, if our information be correct—that there are few unions in which the occupations under L.5 amount to one-fifteenth in value of the whole, when the expense and the loss on

collection are deducted—we believe that the real sacrifice occasioned by their total exemption would be trifling. With respect to the second, the exemption of such tenements in England, where the rates are three or four times as high as in Ireland, has not led to any subdivision; and when we consider the force of the motives which now drive the Irish landlord to consolidation, we do not believe that they would be overcome by the hope of so small a saving. We will venture also to express a suspicion that the clearing system has received an impulse from the Poor-Law, under which it is advancing with a rapidity to which it might not be unadvisable to interpose a slight check. We should, on the whole, prefer this arrangement to the enforcing payment from the occupier, whether he were or were not entitled to make a corresponding reduction from his rent.

The third plan, however, is that which we venture to recommend: It was proposed by the Poor-Law Enquiry Commissioners for England, for all dwellings under the annual value of L.15. It was proposed by Mr Nicholls for Ireland; and has been adopted, and indeed extended much further than we now purpose to carry it, in the acts commuting tithes in Ireland. We recommend that the immediate lessor be the person assessed; and, to prevent any difficulty in discovering him, that the occupier be relieved from payment only on the condition that he state truly who is his lessor.

Relieving the occupier, whatever were the mode adopted, would of course diminish by about one-half the constituencies of the Boards of Guardians. This would be unmixed good. The occupiers under L.5, have neither the necessary education nor the necessary independence. In many cases they are the blind instruments of their clergy; and the clause which excludes religious ministers from the Boards, is virtually repealed by a constituency which elects their nominees. We cannot doubt that the existing system of universal suffrage is one of the causes of the unpopularity of the law among the more educated classes. One of its great purposes was the bringing the higher and middle classes into contact; and enabling, indeed forcing them to deliberate in common on the measures that may best promote their common welfare, and that of their inferiors. Under the existing system this purpose is only partially and imperfectly effected. Better constituents would elect more enlightened guardians; the *ex officio* members would attend; and the Boards might become in Ireland what they are in England—Schools in which the different classes of society learn each other's wants and opinions, and acquire by practice the difficult and necessary arts of administration.

ART. IV.—1. *Memoirs of the Court of England during the Reign of the Stuarts, including the Protectorate.* By JOHN HENEAGE JESSE. 4 vols. 8vo. London: 1840.

2. *Memoirs of the Court of England, from the Revolution in 1688 to the Death of George the Second.* By JOHN HENEAGE JESSE. 3 vols. 8vo. London: 1843.

SEVEN volumes *in toto*, in addition to recent works of a similar kind, and to fresh editions of older ones! Truly there is no end to the pleasure of reading about Courts. In vain the utilitarian asks the use of it, and the moralist questions the good, and the republican sneers at what he secretly admires. In vain an occasional Madame d'Arblay escapes from under a load of duties, to inform the world that it is possible for Courts to be tiresome and unhappy; nay, that it may even be difficult to get a cup of tea there when you want it. In vain a reader may know the whole real state of the case, agreeable and otherwise, or all that ever was written upon the subject from the time of Henry VIII. down to that of the estimable Court now flourishing. Every body waives his particular knowledge in favour of the general impression. It is true, the imaginations of the youngest modern readers cannot be quite of the opinion of the little boys in the country a hundred years ago, that a King and Queen were a couple of superhuman people, sitting all day on thrones, with crowns on their heads and sceptres in their hands; eating, at the very least, (when they did eat,) bread and honey, and counting out gold as the smallest of their diversions. But nevertheless, to the great bulk of readers, there is always something splendid, and gay, and full-dressed, and holiday-like, in the idea of a Court; something processional and gorgeous, graceful and powerful—always in selectest condition, waited upon by the noble, and living in an atmosphere of romance. Pains, and tediums, and defects of whatever sort, appear to be only exceptions to the general delightful fact. Henry VIII. himself does not make the peruser throw away the book in disgust, nor Charles II. with a sense of degradation, nor James II. with his very dulness, nor William III. with his dryness. He reads, for the hundredth time, of glorious Queen Bess with her juvenile airs at six, and her bright eyes and skinny lips, and knows not which to do most—laugh at or respect her. He is told eternally, and is still willing to be told, of the ungainliness of James I., of the gravity of Charles, of the levities and grim looks of his successor; and

the naughtiness of the 'beauties,' and the squabbles of Anne with the vixen Marlborough; nay, of the suit of snuff-colour in which George I. was beheld with awe by the staring infant eyes of Horace Walpole. And why? How is it that readers can turn and return to these everlasting histories of people generally no better than themselves, and sometimes worse? It is because a prince is one of themselves, in a state of splendour and importance. It is because, inasmuch as the readers merge themselves into his being, the readers are *himself*; gazed upon by the same multitudes, glittering and mighty with the same power and rank. It is because, though they are not immodest enough to equal their merits with those of the greatest princes, they feel a superiority to the worst, and a right of participation with the most prosperous. Thus the very vices as well as merits they read of, flatter their self-love; and this, for example, is one of the reasons why all of us, more or less, are so indulgent to the character of Charles II., positively base as he was in some respects, and admirable in none. Gaiety on his part, and superiority on ours, make a combination that is irresistible.

Mr Jesse therefore, having industriously produced seven volumes on these all-popular subjects, and being modest enough withal to claim no higher merit than that of a compiler, we feel bound to say, upon the whole, that his industry is creditable to him and amusing to the reader. He is as impartial as can well be expected of a gentleman with a special liking to such topics; and his feelings are quick and generous, and for the most part correct. The weakest things are what he says about Cromwell and Charles II., and the 'undeviating rectitude' of Lord Strafford. What we chiefly miss is novelty of remark; though, as he professes himself to be only a compiler, we have no right perhaps to expect it. He is at all events not a man of 'scissors and paste.' He has honestly rewritten his work; searched the originals themselves, without taking the copies for granted; and even added an occasional document found out by himself, though of little importance. A great failure of the work is in arrangement and some determinate plan. The first volume, we observe, is entitled on the fly-leaf, 'Reign of the Stuarts.' The title of 'Courts' was perhaps an afterthought, in consequence of the biographical or personal nature of the chief part of the matter, in distinction from public and political. And in fact, the compilation, properly speaking, is neither a history of Courts, nor of Reigns, nor of any one thing more than another, except as far as regards a predominance of the courtly and biographical. Sometimes, for want of a Court, there is a Reign, as in the instance of William III.; and sometimes, accounts of people are

given who had little or nothing to do either with Courts or Reigns — a Beau Fielding and Beau Wilson. On the other hand, he has left out the Court Poets in the time of James and Charles, the members of the Cabal in those of Charles II., Prior and Gay afterwards, Hanbury Williams, and many others. What Mr Jesse ought to have done, in accordance with the title of his work, and in addition to the histories of the individuals composing or connected with the Courts, was to give us, not merely a heap of materials out of which to gather the particulars here and there for ourselves, (and he does not, as we see, completely do this,) but distinct and characteristic pictures of each Court in its aggregate or popular sense, after the manner of what the painters call a conversation-piece. We should thus have had a set of paintings or *Tableaux* before us, giving us impressions of the general differences of the Courts one from another; and these would have advantageously introduced, or concluded, the histories or enlarged characters of the chief persons composing them. It will not be expected of us to supply Mr Jesse's deficiencies; and we undertake no such task. It would be attempting to crowd a picture-gallery into a closet. Still, we shall make such remarks as we can, after the fashion we think best; beginning with the Court of James, and regretting that Mr Jesse has not preceded it with that of Elizabeth. To commence with James, is like entering London by the Isle of Dogs and Shoreditch, instead of Windsor and Piccadilly.

If the morning is fine, his Majesty King James is, to a certainty, going out hunting; and a singular spectacle he is. Who would take him to be the son of the elegant Mary, Queen of Scots? He is a red-faced man, corpulent, and ill-set on his limbs, with a thin beard, large wandering eyes, and a tongue too big for his mouth; and he is trussed up in a huge bundle of clothes, the doublet stiletto-proof, and the pockets as big as Hudibras's. Round his neck is a ruff. His hat is stuck on his head, with a feather in it; and he himself is, in a manner, stuck into the saddle, upon a beautiful horse trained not to stumble. Some lords are about him, chiefly of his own country; and, among the closest of his attendants, is a page with a basketful of wines and liqueurs. He takes a cupful of one of these, to keep the cold out of his stomach; the huntsman winds his horn, the hounds are in full cry; and away goes King James to his victory over the stag. His want of courage being a baulk to his will, he is very fierce when the stag is taken; and bustles down from his horse, with a vindictive and hysterical delight, to cut him up; though, should a strange face happen to look on, his Majesty starts, and sidles back, and does not at all understand how his

attendants could have allowed the approach of so trying a phenomenon.

On the other hand, if the weather is bad, King James is surely in-doors—studying, say his friends; drinking and playing the fool, say his enemies. His Majesty, doubtless, has his books about him, including his *Basilicon Doron*, and his treatise in proof of *Witchcraft*; but he has also his wines and liqueurs, with plenty of other good things;—and if he is not reading some new folio, or disputing with some Bishop, or hearing some not very delicate story from Sir Edward Zouch, or writing some not very delicate letter to a favourite; or lastly, if he is not giving Buckingham some lesson in morals or politics, accompanied with a new jewel, why then most probably Sir John Finett, and Sir George Goring, and the Court-Fool, Archie Armstrong, are of the party, and all four are playing antics and practical jokes to amuse him. Lady Compton (Buckingham's mother) has lately been installed as a kind of housekeeper at Whitehall, and is almost the only female visible in that place; his Majesty having long lived apart from the Queen—not out of ill-will, but from a love of elbow-room, and a wish that each should live at their ease. All day long therefore his Majesty is either hunting, or reading, or giving lectures, or eating and drinking, and laughing at some new jest or masquerade, put up by these facetious gentlemen of his chamber, generally in ridicule of some actual occurrence; and the more forbidden the joke the keener is the royal relish. But besides feastings and masques of a nobler sort, which we shall notice presently, and to which he invites his friends in general, the King is sometimes entertained in like manner by the Queen; and in either of these cases, but especially the latter, a full and proper Court is beheld, consisting of ladies as well as gentlemen, and containing the flower of the beauty and genius of the nation. Thither comes, and there let us now behold, the beautiful Duchess as well as good Duke of Richmond; and Lady Suffolk, (wife to the Lord Treasurer,) with large emerald bribes in her ears; and the Countess of Rivers, contemplating the scene with her arms akimbo; and the Countess of Dorset, (Anne Clifford,) with her large indignant eyes, bidding Daniel the poet take notice of her; and Lucy Harrington by her side, (the Countess of Bedford,) darling of all the poets; and Donne with his profound face, and Drayton smiling, and Ben Jonson pledging my Lord Pembroke in a cup of canary; and old Sir Fulke Greville, 'the friend of Sir Philip Sydney,' looking older than he is with a weight of retrospection; and the gallant Lord Sawley, (Carlisle,) with a flower in his ear, vying with Bucking-

ham in splendour of apparel; and Buckingham himself, looking like a sort of angel of fashion, all over jewels; and Buckingham's mother, the Lady Compton aforesaid, who, being a Beaumont, is talking with the great Fletcher about his deceased friend, and, as she cares for nothing but ambition, is astonished to see the tears in his eyes; and there also is the chivalrous Lord Herbert of Cherbury, bowing to the Queen, whom he fancies in love with him; and on a dais a little elevated sits the Queen herself, plump and jovial, with a good skin and little beauty besides, proud, however, to see so glorious an evening at her house, and pledging the King a little too often in his beloved sweet wines. Lastly, the King himself sits next her, and is getting heartily tired, and longing to tear off his coat and shoes, and lie down. He is returning his wife's compliments, and swearing aside all the while to Sir John Finett, who will make him laugh in a minute with catching the eye of Lord Herbert, and returning him a burlesque of his pompous bow.

A palace nevertheless may be a painted sepulchre, thinks Dr Donne. Underneath all this splendour there is a grossness of talk, and, in some respects, of manners. The hands of Majesty itself are not clean; and Sir Fulke Greville contrasts the noise and indecorum with the grace of the Court of Elizabeth, and doubts whether even the beauty of the masque has made up for it.

Assuredly the first thing that strikes one in the Court of James, is its excessive grossness. It has been attempted to show that this was merely the reflection of similar want of refinement on the part of the English gentry; but that such was not the case, is manifest both from the pictures of the 'fine old Queen Elizabeth's gentleman,' given by the writers of the day as a model of grace and sentiment; and from the contrast undoubtedly furnished by James's Court to that of his predecessor. 'The tastes and habits,' observes the present writer, 'which were introduced by James into the English Court, differed widely from the stately pastimes and chivalrous amusements of the past reign. There was no want of what may perhaps be called magnificence; indeed, the expense of supporting the royal pleasures occasionally amounted to extravagance; but at this period of his reign there was not only little elegance, but the taste of the Court, and especially of the King himself, appears constantly tinctured with grossness and vulgarity. * * * The Scotch who accompanied James to his new dominions, are said to have brought with them their filth as well as their poverty. The Countess of Dorset informs us, that when she paid her visit of congratulation to the royal family at Theobald's, she was sur-

'prised at the great change which had taken place in regard to the want of cleanliness since the preceding reign. Soon after quitting the palace, she found herself infested with those insects, the name of which it is scarce considered delicate to mention.'—(Vol. I. p. 47.)

It is not to be implied that there was nothing objectionable to be found in the Court of Elizabeth. Refinement itself is one of the sources of temptation; and most places in which leisure and luxury meet, undergo the hazard of standing in need of a generous allowance. But Elizabeth was not only a woman of taste, but of a judicious and masculine understanding. She had been surrounded by the Burlighs, the Raleighs, and the Sydneys. Shakspeare's refined plays had been her pastime; and, if gallantry gave itself more sentimental airs in her Court than are supposed to have been warranted, Comus and his drunkards never presided there as they did in that of her successor. Nor is the charge against the Scotch an illiberal one. The in-door habits of the English had been equally filthy in the time of Henry VIII., as is well known from a celebrated passage in Erasmus; but commerce, and poetry, and the intercourse with the countrymen of Raphael and Castiglione, had greatly refined them. Rizzio and the good taste of Mary would perhaps have tended to do something of the same kind for the Scotch; but a fierce nobility and fiercer bigots interfered; and the young king, taught to despise the body for the good of his soul, and therefore tempted to degrade it, was but the more driven in secret upon the accumulation of those gross propensities, which he afterwards exhibited in the golden sunshine of the English Court, to the astonishment of the friends of Elizabeth. Hence, both as a consequence and a reaction, a deterioration of the manners of the gentry, and a corruption of poetry itself in the hands of Beaumont and Fletcher; who, noble poets as they were, condescended to be the echoes of the new men of the day; and whose muse thus became the monstrous anomaly we see it—a being half angel, half *drab*. We really can find no fitter word to express the lamentable truth.

We shall not extract from Mr Jesse's pages the very worst evidences of the degradation of the Court under James. They are bad enough in the context in which they are bound to appear, and far worse when dragged out of it. They are also very well known. The frightful case of Car, Earl of Somerset, and his wife, may be said to contain an epitome of it all. It must be allowed at the same time, that the case is unique as regards murder, and not unaccompanied with doubts as to the rest; and

it is judicious, perhaps, in an historian, to avail himself as much as possible of doubts in all such cases. James is a very disagreeable character in his sottishness, and his vulgar jesting, and his disregard of appearances; but he was not a hard-hearted man; and he has a right to have as many of his actions as possible attributed to his love of peace and quietness. His notions of his prerogative were not greater than those of his predecessor; and Granger has well observed, that 'if all restraints on it had been taken off, and he could have been 'in reality the abstracted king he had formed in his imagination, he possessed too much good-nature to have been a tyrant.' To sum up the character of James in the most charitable manner, he was really after all, and notwithstanding a good deal of positive acuteness and scholarship, nothing but a 'great lubberly boy' from first to last; and it should be added, that no human being, from his infancy, appears to have been more the creature of circumstances. In the murder of Rizzio before his mother's face, his constitution probably received a shock before he was born; his mother was of the same self-indulgent temperament, notwithstanding her attainments; his father, Lord Darnley, was a foolish dissolute lad; and the very wet-nurse of the future maudlin Solomon was a drunkard. Buchanan then took the child and flogged him into a pedant; the religious Reformers perplexed him with alternate homage and insult; and when Elizabeth died, this victim of birth, parentage, and education, with rickety limbs, a sensual temperament, and just talents enough to make him vain and self-satisfied, walked out of a poor kingdom into a rich one, half mad with his joy, and flattered into the most ridiculous notions on all points, by some of the greatest wits in Europe. Mr Jesse considers it very singular that James should entertain, to the last, the most extravagant notions of his prerogative, 'since his tutor, the illustrious Buchanan, endeavoured by every means in his power to instil very different ideas into the mind of his sovereign pupil.' But that was, perhaps, one of the reasons. The 'sovereign pupil' did not choose to be flogged into a love for such unkingly notions. The more he feared and hated his tutor, the more he would fear and hate his republican doctrines. He had no such objections to the learning that enabled him to dogmatize, or to the more luxurious parts of Buchanan's poems—the *risus, et pocula, et illecebræ*—though he did not retain much love for *Nemora*. Even points which are difficult to allude to in the history of this preposterous monarch, were not unprepared for him by perplexities in classical education, which exist at the present moment, but which were

then far more perilous, owing to the recent diffusion of a taste for the ancient writers, and its identification with wisdom and refinement.

Of Anne of Denmark, the Queen of James, our opinion has perhaps been sufficiently intimated. She was a common-place woman, who began with interference, and compounded for being let alone with insignificance. She was as fond of pleasure as the King, or more so; and led such a gay life at Somerset House and other places, as to bring her ladies into disrepute.

Prince Henry, the heir-apparent, who died at eighteen, is loaded by Mr Jesse with the customary panegyrics for his grave tastes, and his martial aspirations. His Royal Highness, it seems, could not endure an oath; and presented, in almost every respect, (or is said to have done so,) an excessive contrast to the idleness, levity, and pacific tendencies of his father. It is well known that every reigning prince is the 'best of princes;' and that every prince, who is expected to reign but does not, would have made a still better. We have no more faith, for our parts, in the perfections of Prince Henry, than in those of any other deified youth whose merits have had the luck to be untried. We grant willingly that he may have had talents and good qualities, and that his love of martial exercises may not have been entirely owing to a youth's natural fondness for playing at soldiers, and an heir-apparent's propensity to differ with his father. The best thing we know of him is the homage which he rendered to the great capacity and attainments of Sir Walter Raleigh, and his wonder at his father's keeping 'such a bird in a cage:' the worst (which Mr Jesse leaves to transpire in a subsequent article) is his taunting his brother Charles with his scholarship and his 'bad legs.' This was no evidence of a generous nature; and it increases our suspicion that the country was lucky in his not reigning.

James's daughter Elizabeth, Queen of Bohemia, though heaped also with extravagant eulogies, we take to have been really a reasonable and gentle person, endeared not undeservedly to the nation by her misfortunes. The 'Queen of Bohemia' is still the mystical sign of many a country alehouse, people wondering who she was.

The man of the best dispositions, after all, about the Court of James, till injured by flattery and power, we suspect to have been Buckingham himself. His virtues were sincerity and zeal; sincerity in all things, and zeal to serve his master—a rare mixture any where, much more in a court. He openly professed to be a friend or enemy, as the case might happen; and he made good

what he professed. His decision saved trouble to the indolence of James and to the hesitation of Charles; and address and superiority of nature, rather than of talents, (especially in the article of truth, in which both were deficient,) combined to give him the mastery over both. We believe that what Charles said of him was true, with regard to his not being the dictator he was supposed to be; and that his greatest merit with them, was his making their convenience the rule of his actions. He might also have been in possession of important secrets, both of State and Household; yet nothing, in our opinion, could have given him the unshaken ascendancy which he obtained over two Kings in succession, and those father and son, except some quality of a superior description. Bassompierre, the French ambassador, was astonished (and truly he well might have been) when Buckingham rushed one day between him and King Charles, crying out, 'I am come to keep the peace between you two;' but no man could have dared to commit himself in that manner with a Prince so jealous of his power, had not the habit of ascendancy been kindly attempered. Ingenuosness was probably the crowning charm even of Buckingham's countenance.

Bacon was one of the great glories of the time of James, but hardly belongs to his Court, though he flattered him like a courtier, and once assisted in getting up a masque. Mr Jesse says he was a 'poet.' A poet he may be called, in as far as he was master of a great style of prose, largely impregnated with imaginative beauty; but in the sense in which Mr Jesse uses the term, let the reader judge of his laurels by the following couplet:

' With wine, man's spirit for to recreate;
And oil, man's face for to exhilarate.'

The masques of Ben Jonson are the chief ornaments and recommendations of the Court of King James, and should have made a greater figure in the work before us. Mr Jesse ought to have gone to themselves for an account of them, and not been contented with repeating a few brief and incidental notices from others. He might easily have 'compiled,' in this instance, from the best originals. We will give a specimen or two of the machinery, as well as other features, of these enchanting entertainments, to show in what respect James's Court may boast of a true refinement. Inigo Jones was the worker out of the poet's fancies; and the chief nobility of the Court, male and female, were his performers. They appeared in the most characteristic and most beautiful dresses, glittering with gold and jewels, with feathers and wings, and cloths of white and crimson. They paraded

and danced to music, were drawn in chariots, descended and rose in clouds, and dawned over mountain-tops in likenesses of Phœbus and Aurora. It was an anticipation of all which machinery has since done on the stage, but with greater cost and elegance. What could be more poetically picturesque than the following opening scene of the masque called *Oberon, the Fairy Prince*?

‘The first face of the scene appeared (says the poet) all obscure, and nothing but a dark rock with trees beyond it, and all wildness that could be presented; till at one corner of the cliff, above the horizon, the moon began to show; and, rising, a satyr was seen by her light to put forth his head, and call.’

In the *Masque of Hymen*, the upper part of a scene ‘which was all of clouds, and made artificially to swell and ride like the rack, began to open; and the air clearing, in the top thereof was discovered Juno sitting in a throne, supported by two beautiful peacocks. Round about her sat the spirits of the air in several colours, making music. Above her, the region of fire, with a continual motion, was seen to whirl circularly; and Jupiter standing in the top, brandishing his thunder. Beneath her, the rainbow, Iris; and on the two sides, eight ladies, attired richly and alike in the most celestial colours, who represented her powers.’ In another scene of the same masque, these eight ladies descend in the clouds to a song, and then dance forth in pairs, ‘with a varied and noble grace, to a rare and full music of twelve lutes.’ In the *Vision of Delight*, Fancy, with purple wings, breaks out of a cloud; an ‘Hour’ descends ‘with golden hair,’ and the scene changes to the ‘bower of Zephyrus,’ a place full of flowers, and hung with convolvulus, honeysuckle, and jessamine: the bower then opens, and discovers the masquers as the ‘glories of the spring,’ in a landscape full of fields and woods, with rivers running, herds and flocks feeding, and larks singing in the air. When he published the *Masque of Hymen*, Ben Jonson could not conceal his transports at the recollection of the performance; but must needs run into a rapturous strain of prose at the end of it, from which we extract the following passages.

‘Hitherto extended,’ says he, ‘the first night’s solemnity, whose grace in the execution left not where to add unto it with wishing; I mean (nor do I court them) in those that sustained the nobler parts. Such was the exquisite performance, as, besides the pomp, splendour, or what may be called the appareling of such presentiments, that alone, had all else been absent, was of power to surprise with delight, and to steal the spectators

‘away from themselves. Nor was there wanting whatsoever might give to the furniture its complement, either in richness or strangeness of the habits, delicacy of dances, magnificence of the scene, or divine rapture of music. Only the envy was, that it lasted not still; or, now that it is past, there cannot, by imagination, much less description, be recovered to us part of that spirit it had in the gliding by.’

After describing the dresses of the men, he says, ‘the ladies’ attire was wholly new for the invention, and full of glory; as having in it the most true impression of a celestial figure. The upper part, of white cloth of silver, wrought with Juno’s birds and fruits: a loose under-garment, full gathered, of carnation, striped with silver, and parted with a golden zone; beneath, another flowing garment, of watchet (bluish) cloth of silver, laced with gold; through all which, though they were round and swelling, there yet appeared some truth of their delicate lineaments, preserving the sweetness of proportion, and expressing itself beyond expression. The attire of their heads did answer, if not exceed; their hair being carelessly (but with more art than if more affected) bound under the circle of a rare and rich-set coronet, adorned with all variety and choice of jewels; from the top of which flowed a transparent veil down to the ground, whose verge, returning up, was fastened to either side in most sprightly manner. Their shoes were azure and gold, set with rubies and diamonds; so were all their garments; and every part abounding in ornament.’ ‘No less to be admired, for the grace and greatness, was the machine or the spectacle from whence they came; the first part of which was a *microcosmos* or globe, filled with countries and then gilded; where the sea was expressed, heightened with silver waves. This stood, or rather hung, for no axle was seen to support it; and turning softly, discovered the first masque, which was of the men, sitting in fair composition within a mine of several metals; to which the lights were so placed [we do not exactly understand this] as no one was seen, but seemed as if only Reason, with the splendour of her crown, illumined the whole gr^ot. On the sides of this (which began the other part) were placed two great statues, feigned of gold, one of Atlas the other of Hercules, in varied postures, bearing up the clouds, which were of relievo, embossed, and translucent as natural. To these a curtain of painted clouds joined, which reached to the utmost roof of the hall, and suddenly opening, revealed the three regions of air, in the highest of which sat Juno in a glorious throne of gold, circled with comets and

‘fiery meteors, engendered in that hot and dry region; her feet reaching to the lowest, where there was a rainbow,’ &c. The rest of the scene has been given already; but there is a concluding passage describing the action of it which deserves quotation. ‘The midst,’ says the poet, ‘was all of dark and condensed clouds, as being the proper place where rain, hail, and other watery meteors are made; out of which two concave clouds from the rest thrust forth themselves, in nature of those *nimbi*, wherein, by Homer, Virgil, &c., the gods are feigned to descend; and these carried the eight ladies over the heads of the two terms, (Atlas and Hercules,) who, as the engine moved, seemed also to bow themselves, and discharge their shoulders of their glorious burden; when, having set them on the earth, both they and the clouds gathered themselves up again, with some rapture of the beholders.’ He then described the motion of the sphere of fire, with Jupiter above it; which, he says, was the thing that delighted the spectators most of all.

It need not be added, that the poetry of these masques was worthy of the machinery and embellishments. Mr Jesse should have given us some specimens of it as a part of the Court elegance. A scene of a banquet in *Love’s Welcome*, opens with the following beautiful mixture of sense and sentiment, in which the reader will admire the repetition of the word Love. It was sung by ‘two tenors and a bass.’

‘*Full Chorus.* If Love be call’d a lifting of the sense
To knowledge of that pure intelligence
Wherein the soul hath rest and residence—

First Tenor. When were the senses in such order placed?

Second Tenor. The Sight, the Hearing, Smelling, Touching, Taste,
All at one banquet?

Bass. Would it ever last!

First Tenor. We wish the same. Who set it forth thus?

Bass. Love!

Second Tenor. But to what end, or to what object?

Bass. Love!

First Tenor. Doth Love then feast itself?

Bass. Love will feast Love.

Second Tenor. You make of Love a riddle or a chain,
A circle, a mere knot. Untie ’t again.

Bass. Love is a circle; both the first and last
Of all our actions; and his knot’s too fast.

First Tenor. A true-love knot will hardly be untied;
And, if it could, who would this pair divide?

Bass. God make them such, and Love.’

In the *Masque of Queens* are the celebrated songs of the witches; part of which was afterwards so finely set to music by Purcell:—

‘The owl is abroad, the bat, and the toad,
And so is the cat-a-mountain,’ &c.

The lovers of vocal music will recognize another in the masque of the *Gipsies Metamorphosed*:—

‘To the old, long life and treasure;
To the young, all health and pleasure;
To the fair, their face
With eternal grace;
And the foul, to be loved at leisure.

‘To the witty, all clear mirrors;
To the foolish, their dark errors;
To the loving sprite
A secure delight;
To the jealous, their own false terrors.’

There is plenty of flattery to the King; and alas! an occasional excess of coarseness, astonishing to be met with amidst so many graces, and not to be conceived by the delicacy of the present day. The coarseness is assuredly to be laid to the account of the King and his circle; and yet they could as certainly enjoy the graces too: such anomalies are there in times and manners! The flattery was often made to contain some admirable lesson. A vindication, for instance, of the King’s passion for the chase, ends with a very exalted moral. We shall repeat the whole chorus for the benefit of our modern Nimrods:—

‘Hunting! it is the noblest exercise,
Makes man laborious, active, wise,
Brings health, and doth the spirits delight;
It helps the hearing, and the sight;
It teacheth arts that never slip
The memory, good horsemanship,
Search, sharpness, courage, and defence,
And chaseth all ill-habits thence.

‘Turn hunters then again,
But not of men.
Follow his ample
And just example,
That hates all chase of malice and of blood,
And studies only ways of good,
To keep soft peace in breath.
Men should not hunt mankind to death,

But strike the enemies of man.
 Kill vices if you can;
 They are your wildest beasts,
 And, when they thickest fall, you make the gods true feasts.'

The worst of these splendid entertainments was, that they were very expensive. 'By a letter,' says Mr Jesse, 'among the *Talbot Papers*, it is proved that one masque alone cost the Exchequer three thousand pounds. This taste (he adds) for lavishing immense sums on magnificent spectacles and social diversions, was not confined to the Court. To provide for a masque at Lord Haddington's marriage, twelve of the principal courtiers subscribed three thousand pounds a-piece. The King, however, was the principal sufferer; and so reduced were his finances about the fourth year of his reign, and so clamorous were the officers of his household for the payments of their salaries, that they actually stopped the coach of the Lord Treasurer, and prevented his proceeding further till he had given a solemn promise that their demands should be satisfied.' It does not follow that the expenses of the masques themselves were always paid. In fact, Inigo Jones at one time performed the duties of surveyor of the works gratuitously, on purpose to clear off the debts of his predecessor; and there are some pleasant verses of Ben Jonson's, when he was laureate, in which he raises a

woeful cry
 to Sir Robert Pye

for the arrears of his salary—which Sir Robert Pye, by the way, was ancestor of one of the poets-laureate of King George the Third. Nor is the bard of the loves and graces of the masques, with all his loyalty, understood to have invariably waived the rougher part of his character in favour of the acknowledgments doled out on him. He is said to have exclaimed on one occasion, when the King made him some small payment or present—'He sends me this, because I live in an alley. Tell him, his soul lives in an alley!'

The Court of Charles I. was decorum and virtue itself in comparison with that of James. Drunkenness disappeared; there were no scandalous favourites; Buckingham alone retained his ascendancy as the friend and assistant; and the King manifested his notions of the royal dignity by a stately reserve. Little remained externally of the old Court but its splendour; and to this a new lustre was given by a taste for painting, and the patronage of Rubens and Vandyke. Charles was a great collector of pictures. He was still fonder of poetry than his father,

retained Ben Jonson as his Laureate, encouraged Sandys, and May, and Carew, and was a fond reader of Spenser and Shakspeare; the last of whom is styled by Milton (not in reproach, as Warton strangely supposed; for how could a poet reproach a King with loving a poet?) the 'closet companion' of the royal 'solitudes.' Walpole, as Mr Jesse observes, was of opinion, that 'the celebrated festivals of Louis XIV. were copied from the shows exhibited at Whitehall, in its 'time the most polite court in Europe.' Bassompierre, in mentioning his state introduction to Charles and Henrietta, says, 'I found the King on a stage raised two steps, the Queen and he on two chairs, who rose on the first bow I made them on coming in. The company was magnificent, and the order exquisite.' 'I never knew a duller Christmas than we have had this year,' writes Mr Gerrard to the Earl of Strafford: 'but one play all the time at Whitehall, and no dancing at all. The queen had some little infirmity, the bile or some such thing, which made her keep in; only on Twelfth Night she feasted the king at Somerset House, and presented him with a play newly studied, the *Faithful Shepherdess*, (Fletcher's,) which the king's players acted in the robes she and her ladies acted their pastoral in last year. I had almost forgot to tell your lordship, that the dicing night, the king carried away in James Palmer's hat L.1850. The queen was his help and brought him that luck; she shared presently L.900. There are two masques in hand; first, the Inns of Court, which is to be presented on Candlemas day; the other, the king presents the queen with on Shrove Tuesday, at night: high expenses; they speak of L.20,000 that it will cost the men of the law.'—(Jesse, Vol II. p. 91.)

'Charles was not only well informed,' says Mr Jesse, 'in all matters of court etiquette, and in the particular duties of each individual of his household, but enjoined their performance with remarkable strictness. Ferdinand Masham, one of the esquires of his body, has recorded a curious anecdote relative to the king's nice exaction of such observances. "I remember," he says, "that coming to the king's bed-chamber door, which was bolted in the inside, the Earl of Bristol, then being in waiting and lying there, he unbolted the door upon my knocking, and asked me "What news?"—I told him I had a letter for the king. The earl then demanded the letter of me, which I told him I could deliver to none but to the king himself; upon which the king said, "The esquire is in the right: for he ought not to deliver any letter or message to any but myself, he being at this time the chief officer of my house;

‘and if he had delivered the letter to any other, I should not have thought him fit for his place.’” It seems, that after a certain hour, when the guard was set, and the “all right” served up, the royal household was considered under the sole command of the esquire in waiting. “The king,” says Lord Clarendon, “kept state to the full, which made his court very orderly, no man presuming to be seen where he had no pretence to be.”—(Jesse, II. 94.)

The truth is, that both from greater virtue, and a less jovial temperament, Charles carried his improvement upon the levity of his father's Court too far. Public opinion had long been quitting the old track of an undiscerning submission; and, though it was the King's interest to avoid scandal, it was not so to provoke dislike. It was on the side of manner in which he failed. His reformations, the more scandalous ones excepted, appear to have been rather external than otherwise. Mrs Hutchison, while she speaks of them highly, intimates that there was still a good deal of private license; and, though it is asserted that Charles discountenanced swearing, perhaps even this was only by comparison. It is reported of Charles II., that in answer to a remonstrance made to him on the oaths in which he indulged, he exclaimed in a very irreverent and unfilial manner,

“Gods' why, your Martyr was a greater swearer than I am.” It has been questioned also, whether in other respects Charles's private conduct was so ‘immaculate,’ to use Mr Jesse's phrase, as the publicity of his latter years and his fate has led most people to conclude. Indeed, it is a little surprising how any party, partisans excepted, could have supposed, that a prince brought up as he was, and the friend of Buckingham, should be entirely free from the license of the time. His manners and speeches to women, though not gross for that age, (to say nothing of the letter, Vol. II. p. 88,) would be thought coarse now; and, at all events, were proofs of a habit of thinking quite in unison with custom. But the present age has been far stricter in its judgment on these points than any which preceded it—at least up to the time of George III. It was not the question of his gallantries, or of his freedom from them, that had any thing to do with Charles's unpopularity. The people will pardon a hundred gallantries sooner than one want of sympathy. Charles I. would not have been unpopular in the midst of Court elegancies, if he had not been stiff and repulsive in his manners. Unfortunately, he wanted address; he had a hesitation in his speech; and his consciousness of a delicate organization and of infirmity of purpose, with the addition of a good deal of the will common to most people, and particularly encouraged

in Princes, made him afraid of being thought weak and easy. He therefore, in what he thought self-defence, took to an offensive coldness and dryness of behaviour, and gradually became not unwilling even to wreak upon other people the irritability occasioned by it to himself. He got into unseemly passions with Ambassadors, and neither knew how to refuse a petition gracefully, nor to repel an undue assumption with real superiority. Even his troubles did not teach him wisdom in these respects till the very last. He was riding out one day during the wars, when a 'Dr Wykes, dean of Burian in Cornwall,' says Mr Jesse, 'an inveterate punster, happened to be near him, extremely well mounted. "Doctor," said the King, "you have a pretty nag under you; I pray, how old is he?" Wykes unable to repress, even in the presence of majesty, the indifferent conceit which presented itself, "If it please your majesty," he said, "he is in the second year of his reign," (rein.) Charles discovered some displeasure at this unlicensed ribaldry. "Go," he replied, "you are a fool!"' Now that the Dean was a fool there can be no doubt; but that this blunt, offensive, and never-to-be-forgotten word was the only one which a King in a state of war with his subjects could find, in order to discountenance his folly, shows a lamentable habit of subjecting the greater consideration to the less.

Unluckily for Charles's dignity in the eyes of his attendants, and for his ultimate welfare with the people, there was a contest of irritability too often going forward between him and his consort Henrietta; in which the latter, by dint perhaps of being really the weaker of the two, generally contrived to remain conqueror. Swift has recorded an extraordinary instance of her violence in his list of *Mean and Great Fortunes*. He says, that one day Charles made a present to his wife of a handsome brooch, and gallantly endeavouring to fix it in her bosom, happened unfortunately to wound the skin, upon which her Majesty in a fit of passion, and in the presence of the whole court, took the brooch out and dashed and trampled it on the floor. The trouble that Charles had to get rid of Henrietta's noisy and meddling French attendants, not long after his marriage, is well known; but not so, that, having contrived to turn the key upon her in order that she might not behold their departure, 'she fell into a rage beyond all bounds, tore the hair from her head, and cut her hands severely by dashing them through the glass windows.'—(Jesse, Vol. II. p. 79.)

When not offended, however, the Queen's manners were lively and agreeable. We are to imagine the time of the Court divided between her Majesty's coquetries, and accomplishments, and Catholic confessors, and the King's books, and huntings, and

political anxieties ; Buckingham, as long as he lived, being the foremost figure next to himself ; and Laud and Strafford domineering after Buckingham. In the morning the ladies embroidered and read huge romances, or practised their music and dancing, (the latter sometimes with great noise in the Queen's apartments ;) or they went forth to steal a visit to a fortune-teller, or to see a picture by Rubens, or to sit for a portrait to Vandyke, who married one of them. In the evening there was a masque, or a ball, or a concert, or gaming ; the Sucklings, the Wallers, and Carews, repeated their soft things, or their verses ; and ' Sacharissa ' (Lady Dorothy Sydney) doubted Mr Waller's love, and glanced toward sincere-looking Henry Spencer ; Lady Carlisle flirted with the Riches and Herberts ; Lady Morton looked grave ; the Queen threw round the circle bright glances and French *mots* ; and the King criticized a picture with Vandyke or Lord Pembroke, or a poem with Mr Sandys, (who, besides being a poet, was gentleman of his majesty's chamber ;) or perhaps he took Hamilton or Strafford into a corner, and talked, not so wisely, against the House of Commons. It was, upon the whole, a grave and a graceful Court, not without an under-current of intrigue.

It seems ridiculous to talk of the Court of Oliver Cromwell, who had so many severe matters to attend to in order to keep himself on his throne ; but he had a Court, nevertheless ; and, however jealously it was watched by the most influential of his adherents, it grew more courtly as his protectorate advanced ; and must always have been attended with a respect which Charles knew not sufficiently how to insure, and James not at all. Its dinners were not very luxurious, and the dishes appear to have been brought in by the heavy gentlemen of his guard. In April 1654, we read of the ' grey coats ' of these gentlemen, with ' black velvet collars, and silver lace and trimmings ; '—a very sober effort at elegance. Here his daughters would pay him visits of a morning, fluttering betwixt pride and anxiety ; and his mother sit with greater feelings of both, starting whenever she heard a noise : flocks of officers came to a daily table, at which he would cheerfully converse ; and now and then Ambassadors or the Parliament were feasted ; and in the evening, perhaps after a portion of a sermon from his Highness, there would be the consciousness of a princely presence, and something like a courtly joy. In the circle Waller himself was to be found, (making good the doubts of ' Sacharissa ;') and Lord Broghill, the friend of Suckling, who refused to join him ; and Lady Carlisle, growing old, but still setting her beauty-spots at the saints ; and Richard Cromwell, heir-apparent, whom Dick Ingoldsby is forcing to die

with laughter; though severe Fleetwood is looking that way; and the future author of 'Paradise Lost' talking Italian with the envoys from the Apennines; and Marvel, his brother secretary, chuckling to hear from the Swedish Ambassador the proposal of a visit from Queen Christina; and young Dryden, bashfully venturing in under the wing of his uncle Sir Gilbert Pickering, the chamberlain. There was sometimes even a concert; Cromwell's love of music prevailing against the un-angelical denouncements of it from the pulpit. The Protector would also talk of his morning's princely diversion of hunting; or converse with his daughters and the foreign ambassadors, some of which latter had that day paid their respects to the former, as to royal personages, on their arrival in England; or if the evening were that of a christening or a marriage, or other festive solemnity, his Highness, not choosing to forget the rough pleasures of his youth, and combining, perhaps, with the recollection something of an hysterical sense of his present wondrous condition, would think it not unbecoming his dignity to recall the days of King James, and bedaub the ladies with sweetmeats, or pelt the heads of his brother generals with the chair cushions. Nevertheless, he could resume his state with an air that inspired the pencil of Peter Lely beyond its fopperies; and Mazarin at Paris trembled in his chair to think of it.

But how shall we speak of the Court of Charles II.? of that unblushing seminary for the misdirection of young ladies, which, occupying the ground now inhabited by the correctest of men, rendered the mass of buildings by the water's side, from Charing-Cross to the Parliament, one vast—what are we to call it?—

'Chi mi darà le voci e le parole
Convenienti a sì nobil soggetto?'

Let Mr Pepys explain. Let Clarendon explain. Let all the world explain, who equally reprobate the place and its master, and yet somehow are so willing to hear it reprobated, that they read endless accounts of it, old and new, from the not very bashful *exposé* of the Count de Grammont, down to the blushing deprecations of Mrs Jamieson. Mr Jesse himself begins with emphatically observing, that 'a professed apology, either for the character or conduct of Charles II., might almost be considered as an insult to public rectitude and female virtue;' yet he proceeds to say, that there is a 'charm' nevertheless in 'all that concerns the "merry monarch," which has served to rescue him from entire reprobation;' and accordingly he proceeds to devote to him the largest portion given to any of his princes, not omitting particulars of all his natural children; and winding

up with separate memoirs of the maids of honour, the mistresses, and those confidential gentlemen—Messrs Chiffinch, Prodggers, and Brouncker.

‘Now this is worshipful society.’

Upon the reason of this apparent contradiction between the morals and toleration of the reading world, we have touched before; and we think it will not be expected of us to enter further into its metaphysics. The Court is before us, and we must paint it, whatever we may think of the matter. We shall only observe in the outset, that the ‘merry monarch,’ besides not being handsome, had the most serious face, perhaps, of any man in his dominions. It was as full of hard lines as it was swarthy. If the assembled world could have called out to have a specimen of a ‘man of pleasure’ brought before it, and Charles could have been presented, we know not which would have been greater, the laughter or the groans. However, ‘merry monarch’ he is called; and merry doubtless he was, as far as his numerous cares and headaches would let him be. Nor should it be forgotten, that cares, necessities, and bad example, conspired, from early youth, to make him the man he was. We know not which did him the more harm—the jovial despair of his fellow exiles, or the sour and repulsive reputation which morals and good conduct had acquired from the gloominess of the Puritans.

Charles was of good height as well as figure, and not ungraceful. Andrew Marvel has at once painted and intimated an excuse for him, in an exordium touching upon the associates of his banishment. His allusion to the filial occupation of Saul is very witty:—

‘Of a tall stature and a sable hue,
Much like the son of Kish, that lofty Jew;
Ten years of need he suffer’d in exile,
And kept his father’s asses all the while.’

He was a rapid and a constant walker, to settle his nerves; talked affably with his subjects; had a parcel of little dogs about him, which did not improve the apartments at Whitehall; hated business; delighted to saunter from one person’s rooms at Court to another’s, in order to pass the time; was fond of wit, and not without it himself; drank and gamed, and was in constant want of money for his mistresses, which ultimately rendered him a scandalous pensioner upon the King of France; in short, was a selfish man, partly by temperament, and partly from his early experience of others; but was not ill-natured; and, like his grandfather James, would live and let live, provided his pleasures were untouched. His swarthiness he got from the Italian

stock of the Medici, and his animal spirits from Italy or France, or both: they were certainly not inherited from his father.

The man thus constituted was suddenly transferred from an exile full of straits and mortifications, into the rich and glorious throne of England. The people, sick of gloom and disappointment, were as mad to receive him as he was to come. It was May, and all England dressed itself in garlands and finery. Crowds shouted at him; music floated around his steps; young females strewed flowers at his feet; gold was poured into his pockets; and clergymen blessed him. He receives the homage of Church and State; and goes the same night to sup with Mrs Barbara Palmer, at a house in Lambeth.

Such was the event which, by an epithet that has since acquired a twofold significancy, has been called the 'blessed Restoration.' Orthodoxy and loyalty had obtained an awkward champion.

Mrs Palmer soon restored the King to Whitehall by coming there herself, where she became in due time Countess of Castlemain, Duchess of Cleveland, and mother of three Dukes and as many daughters. This was for the benefit of the Peerage. But Charles, for the benefit of Royalty, was unfortunately compelled to have a wife; though, as an alleviation of the misfortune, his wife, he reflected, would have an establishment, with ladies of the bedchamber; nay, with a pleasing addition of maids of honour. He therefore put what face he could on the matter, and wedded Catharine of Braganza: when Lady Castlemain was presented to her as one of the ladies, the poor Queen burst out a-bleeding at the nose. It took a good while to reconcile the royal lady to the 'other lady,' (Clarendon's constant term for her;) but it was done in time, to the astonishment of most and disgust of some. Clarendon was one of the instruments that effected the good work. From thenceforth the Queen was contented to get what amusement she could, and was as merry as the rest. She was not an ill-looking woman; was as fond of dancing as her husband; and he used good-naturedly to try to make her talk improper broken English, and would not let her be persecuted.

In the course of the arrangement of this business, Charles wrote a letter to Clarendon, his Chancellor and keeper of his conscience, in which are the following devout passages;—odd, in the conjunction with the matter in hand;—edifying, as coming from the head of Church and State: 'I think it very necessary to give you a little good counsel, lest you may think that by making a further stir in the business you may drive me from my resolution, which all the world shall never do; and I wish I may be

‘unhappy in this world, *and in the world to come*, if I fail in the least degree of what I resolved, which is of making my Lady Castlemain of my wife’s bedchamber : and whosoever I find endeavouring to hinder this resolution of mine, except it be only to myself, I will be his enemy to the last moment of my life. You know how much a friend I have been to you : if you will oblige me eternally, make this business as easy to me as you can, of what opinion you are of ; for I am resolved to go through with this matter, let what will come of it, which again I solemnly swear before Almighty God ; therefore, if you desire to have the continuance of my friendship, meddle no more with this business, except it be to beat down all false and scandalous reports, and to facilitate what I am sure my honour is so much concerned in ; and whomsoever I find to be Lady Castlemain’s enemy in this matter, I do promise upon my word to be his enemy as long as I live. You may show this letter to my lord-lieutenant, and if you have both a mind to oblige me, carry yourselves like friends to me in this matter.

‘CHARLES R.’

In consequence of this royal determination on the part of Charles, aided by a few tears, and perhaps oaths, on that of the lady, and by the more gentle philosophy of the Queen, Whitehall now adjusted itself to the system which prevailed through this reign, and which may be described as follows ; We do not paint it at one point of time only, as in previous instances, but through the whole period.

Charles walked a good deal in the morning, perhaps played at ball or tennis, chatted with those he met, fed his dogs and his ducks, looked in at the cockpit, sometimes did a little business, then sauntered in doors about Whitehall ; chatted in Miss Wells’s room, in Miss Price’s room, in Miss Stuart’s room, or Miss Hamilton’s ; chatted in Mr Chiffinch’s room, or with Mr Prodggers ; then dined, and took enough of wine ; had a ball or a concert, where he devoted himself to Lady Castlemain, the Duchess of Portsmouth, or whoever the reigning lady was, the Queen talking all the while as fast as she could to some other lady ; then, perhaps, played at riddles, or joked with Buckingham and Killegrew, or talked of the intrigues of the Court—the great topic of the day. Sometimes the ladies rode out with him in the morning, perhaps in men’s hats and feathers ; sometimes they went to the play, where the favourite was jealous of the actresses ; sometimes an actress is introduced at Court and becomes a ‘madam’ herself—Madam Davis, or Madam Eleanor Gwyn. Sometimes the Queen treats them with a cup of the precious and unpurchasable beverage called tea, or even ventures abroad with

them in a frolicsome disguise. Sometimes the Courtiers are at Hampton, playing at hide-and-seek in a labyrinth; sometimes at Windsor, the ladies sitting half-dressed for Sir Peter Lely's voluptuous portraits. Lady Castlemain, the Duchess of Portsmouth, and Nell Gwyn, all have their respective lodgings in Whitehall, looking out upon gardens, elegant with balconies and trellices. By degrees the little dukes grow bigger, and there is in particular a great romping boy, very handsome, called Master Crofts, afterwards Duke of Monmouth, who is the protégé of Lady Castlemain, though his mother was Mrs Walters, and who takes the most unimaginable liberties in all quarters. He annoys exceedingly the solemn Duke of York, the King's brother, who heavily imitates the reigning gallantries, stupidly following some lady about without uttering a word, and who afterwards cut off the said young gentleman's head. The concerts are French, partly got up by St Evremond and the Duchess of Mazarin, who come to hear them; and there, in addition to the ladies before mentioned, come also the Duchess of Buckingham, short and thick, (daughter of the old Parliamentary general, Fairfax,) and Lady Ossory, charming and modest, and the Countess of Shrewsbury, who was neither, and Lady Falmouth, with eyes at which Lord Dorset never ceased to look, and the Duchess of York, (Clarendon's daughter,) eating something, and divine old Lady Fanshawe, who crept out of the cabin in a sea-fight to stand by her husband's side. The Queen has brought her there, grateful for a new set of sarabands, at which Mr Waller is expressing his rapture—Waller, the visiter of three courts, and admired and despised in them all. Behind him stands Dryden, with a quiet and somewhat down-looking face, finishing a couplet of satire. 'Handsome Sydney' is among the ladies; and so is Ralph Montague, who loved ugly dogs because nobody else would; and Harry Jermyn, who got before all the gallants, because he was in earnest. Rochester, thin and flushed, is laughing in a corner at Charles's grim looks of fatigue and exhaustion. Clarendon is vainly flattering himself that he is diverting the King's ennui with a long story; Grammont is shrugging his shoulders at not being able to get in a word; and Buckingham is making Sedley and Etherege ready to die of laughter by his mimicry of the poor Chancellor. The reader will excuse our not following up this picture with more details of such personages.

The Court of James II. is hardly worth mention. It lasted less than four years, and was as dull as himself. The most remarkable circumstance attending it was the sight of Friars and Confessors, and the brief restoration of Popery. Waller, too, was

once seen there; the *fourth* court of his visiting. There was a poetess also, who appears to have been attached by regard as well as office to the court of James—Anne Kingsmill, better known by her subsequent title of Countess of Winchilsea. The attachment was most probably one of feeling only and good-nature; for she had no bigotry of any sort. Dryden, furthermore, was laureate to King James; and in a fit of politic, perhaps real, regret, turned round upon the late court in his famous comparison of it with its predecessor:—

‘Misses there were, but modestly conceal’d;
Whitehall the naked Venus first reveal’d;
Where, standing as at Cyprus in her shrine,
The strumpet was adored with rights divine.’

The Court of King William III. was duller even than that of James. Queen Mary had her ladies with whom she used to read and work, but we learn nothing more of them. While she was Princess of Orange, she had a young lady among her attendants, with whom the Prince fell in love, and when he became King he afflicted his wife with his attentions to her; but Mary did not cease to love him. Perhaps a little difficulty and disinclination made her love him the more. All the house of Stuart had fond attachments of some kind or other, in which there appears to have been a strong zest of the wilful. As to King William, it was in vain his new courtiers implored him to try and make himself popular; habit and reserve prevailed; and he shut himself up with his Dutchmen to alleviate his cares with the bottle. The two sprightliest anecdotes of the Court, next to his Majesty’s single amour, are told by the Duchess of Marlborough, whose vindictive recitals, however, are always to be received with suspicion. One is, that when Queen Mary took possession of her father’s palace, she ran about the house with a face full of glee, turning over all the bed-clothes and cupboards to see what she had got. The other informs us, that when the Princess Anne was sitting one day at dinner with the King and Queen, his Majesty took the only plate of peas wholly to himself, though the Princess was in a very interesting situation, and could hardly keep her eyes off the dish. The Princess had a will of her own, not usually in accordance with that of his Majesty; and a dish of new peas became part of his prerogative. William has been thought an unfeeling man, but such was not by any means the case. He lamented his wife with remorse, because he had not been a fond and faithful husband. His friendships were strong and lasting; and, if he was taciturn and cold in his manner, it was owing to his want of address and ready flow of ideas. He was sickly, and was kept in a constant

state of irritation by party feuds. When he was in his saddle, even in his latter days, his eye is said to have lighted up as if with the memory of his campaigns. He was at that moment on a level with men who have some imagination. Mr Jesse records an exclamation of this Prince, which he seems to admire. He was once in danger off the coast of Holland, and the boatmen showing symptoms of apprehension, the King exclaimed, 'What! are you afraid to die in my company?' This, if true, was a blundering parody on the speech of Cæsar on a like occasion. But the *Cæsarem vehis* of the great Roman implied that the boat was safe. What! it said; can you be afraid when you 'carry Cæsar' and his prosperity? We must add, that the lady for whose sake his Majesty followed the royal fashion of having a mistress, was a Villiers of the old favourite stock, to which belonged also the Duchess of Cleveland. William made her Countess of Orkney, with remainder to her husband's heirs 'whatsoever.' She wanted the beauty which had become an inheritance in the race of Villiers, but appears to have been sensible and kind. Swift calls her 'the wisest woman he ever knew.' Having entertained George II. once at her house at Clifden, and the dinner not succeeding to her mind, she made the following rare and honest remark—'I thought I had turned my mind in a philosophical way of having done with the world; but I find I have deceived myself; for I am both vexed and pleased with the honour I have received.'—(*Suffolk Correspondence*, Vol. II. p. 352.)

The history of Anne's Court is that of a closet containing the Queen and the Duchess of Marlborough—the latter being ultimately displaced by Lady Masham. At one time, the great Whig Duke makes a third in the closet; at another, the Tory Earl of Oxford; at another, his rival Bolingbroke; but all, more or less, by the grace of the reigning favourite. Anne was a quiet, good sort of woman, with the tendency of her race to romantic attachments; and the Duchess of Marlborough, with whom, in child-like earnest, she may be said to have *played at friends* under the names of 'Mrs Morley and Mrs Freeman,' might have kept her regard for life, had not an imperious temper rendered her insupportable. Masham was humble and more cunning; and contrived to assist at the squabbles of Oxford and Bolingbroke, till death relieved the poor Queen from the troubles of Toryism. The Duchess has left an account of the matter to posterity, which, like all such effusions of self-love, only defeated its object. The most painful part of the picture is the Duke her husband, lamenting his lost 'stick' like a child. It has been made a question, whether great Captains would be thought as great as they are, if

the sphere of their operations were not on so grand a scale. Great abilities of some sort, it is pretty clear, they must have; but some of the most renowned have certainly not shone much out of their profession.

In taking leave of Queen Anne, we may observe, that in the person of George of Denmark she possessed a husband duller than herself; that she was comely, if not handsome; and that she was the mother of nineteen children, not one of whom survived a dozen years, and all the rest died in their infancy. Of thirteen out of the nineteen, there is no mention made of the very names.

The Jameses and Charleses, to use Mr Jesse's phrase, have so accustomed us to the 'adventitious excitement' of improprieties, that after the good conduct of Mary and Anne, our eyes, we fear, brighten up at the prospect of a few more in the succession of the House of Hanover. We can really find no such pleasure, however, as our author does, nor do we think that he finds it either generously or justly after his toleration of the conduct of Charles II.; when he says that George I. had 'the folly and wickedness to encumber himself with a seraglio of hideous German prostitutes.' The Duchess of Kendal, though not well-favoured, was not 'hideous'; both she and the King were upwards of fifty; the attachment had lasted many years; and was understood to have been sanctioned, after a fashion not of the worst kind under such circumstances, by a private marriage. The Countess of Darlington, the other chief of this 'repulsive seraglio,' though she had grown large, was a woman of very agreeable manners and conversation, and had been handsome when young. The remaining 'favourite' was Madame Kilmansegg. It is Walpole, in his wholesale way, who applies the term to the entire German importation. George's only other mistress was an Englishwoman, Miss Brett, daughter of the Colonel Brett 'who married Sav-
'age's mother, and bought Cibber's wig.' There was a vulgar cant in that day against 'foreigners.' Germans were not to be considered ladies and gentlemen, because they were not English. But George's foreign mistresses were better gentlewomen than those of Charles and James, and certainly no such 'prostitutes.' The most vulgar was Miss Brett herself. And as to the King's own manners, we take them to have been as decent and well-bred, after the staid fashion of his country, as the Frenchified style of the later Stuarts. Charles I. was a gentleman, but not a strictly well-bred one; for he had not the art of making people easy in his presence. His father made them easy by making himself contemptible. The aspect of George I., as it impressed itself on the boyish memory of Horace Walpole, was probably that under

which he appeared to most people; and had a decorous simplicity about it, which would be favourably regarded at the present day. 'I do remember,' says Walpole, 'something about George I. My father took me to St James's while I was a very little boy; after waiting some time in an anteroom, a gentleman came in, all dressed in brown, even his stockings, and with a riband and a star. He took me up in his arms, kissed me, and chatted some time.' And in another place he says, that the person of the King was that of an elderly man, 'rather pale, and exactly like his pictures and coins; not tall;' and 'of an aspect rather good than august.'

George I. did not speak English; but he spoke Latin, which was no ungentlemanlike accomplishment. His minister, Sir Robert Walpole, could speak no German or French, so in Latin they conversed; probably not very like that of Cicero or Erasmus, but good enough to govern a great nation with; and the difficulty on the King's side must have been the greater, owing to the Latinized English words and allusions. He was a sociable good-humoured man, very willing to be led by his great Minister in the establishment of liberal principles of government. The worst things to be said of him, (and very painful and perplexing they are,) was his long imprisonment of his wife, and his unfatherly dislike of his son. But we have seen, even in our own time, a wife persecuted by a libertine Prince. So hard it is for the overweening pretensions of the one sex to learn to do justice to the other—especially when mixed up with pretensions of state. The dislike of the son was probably connected with the prejudice against the wife. As the King lived in one country and the Queen in another, there was no Court, properly so called, in the palace; though of course there were public days of reception. It is true the legitimate ladies in waiting were not all at the Court of the Prince and Princess; for when the latter went away from St James's to live by themselves, the King retained their three eldest daughters, who remained with him till his death. But, for obvious reasons, there was no female parade; though Miss Brett would fain have made one. During the King's last visit abroad, she ordered a door to be broken out of her apartment into the royal garden. The eldest of the Princesses ordered it to be filled up. Miss Brett, says Walpole, 'as imperiously reversed the command.' But things were for the most part quiet. George, every evening, was in the apartments of the Duchess of Kendal, sometimes at cards, sometimes entertained by visitors; or perhaps he had a bowl of punch with Sir Robert. The best account of his Court, 'if Court it could be called,' is given by the interesting descendant of Lady

Mary Wortley Montague, who, still living at an advanced age, wrote the 'Introductory Anecdotes' to Lord Wharncliffe's late edition of the 'Letters,' with much of the grace and spirit of her ancestor; and, it hardly need be added, with none of her license. We repeat the well-told anecdote it contains, at the hazard of its not being new to the reader, in order that our pictures of the spirit of the several Courts may be as complete as we can, within our narrow limits, render them. 'In one respect,' says this lady, 'the Court, if Court it could be called, bore some resemblance to the old establishment of Versailles. There was a Madame de Maintenon. Of the three favourite ladies that accompanied him from Hanover, viz., Mademoiselle de Schulenberg, the Countess Platen, and Madame Kilmansegg, the first alone, whom he created Duchess of Kendal, was lodged in St James's Palace, and had such respect paid her as very much confirmed the rumour of a left-hand marriage. She presided at the King's evening parties, consisting of the Germans who formed his familiar society, a few English ladies, and fewer Englishmen; among them Mr Craggs, the secretary of state, who had been in Hanover in the Queen's time, and by thus having the *entrée* in private, passed for a sort of favourite. Lady Mary's Journal related a ridiculous adventure of her own at one of these royal parties; which, by the bye, stood in great need of some laughing matter to enliven them, for they seem to have been even more dull than it was reasonable to expect they should be. She had on one evening a particular engagement that made her wish to be dismissed unusually early; she explained her reasons to the Duchess of Kendal, and the Duchess informed the King, who, after a few complimentary remonstrances, appeared to acquiesce. But, when he saw her about to take leave, he began battling the point afresh, declaring it was unfair and perfidious to cheat him in such a manner, and saying many other fine things, in spite of which she at last contrived to escape. At the foot of the stairs she ran against Mr Secretary Craggs just coming in, who stopped her to enquire what was the matter? Were the company put off? She told him why she went away, and how urgently the King had pressed her to stay longer; possibly dwelling on that head with some small complacency. Mr Craggs made no remark; but when he had heard all, snatching her up in his arms, as a nurse carries a child, he ran full speed with her up stairs, deposited her within the antechamber, kissed both her hands respectfully, (still not saying a word,) and vanished. The pages seeing her returned, they knew not how, hastily threw open the inner doors, and before she had recovered her breath, she found herself again in the King's presence. "*Ah, la revolo!*" cried he

and the Duchess, extremely pleased, and began thanking her for her obliging change of mind. The motto on all palace gates is "Hush," as Lady Mary very well knew. She had not to learn, that mystery and caution ever spread their awful wings over the precincts of a court; where nobody knows what dire mischief may ensue from one unlucky syllable about any thing, or about nothing, at a wrong time. But she was bewildered, fluttered, and entirely thrown off her guard; so, beginning giddily with "Oh Lord, sir! I have been so frightened!" she told his Majesty the whole story exactly as she would have done it to any one else. He had not done exclaiming, nor his Germans wondering, when again the door flew open, and the attendants announced Mr Secretary Craggs, who, but that moment arrived, it should seem, entered with the usual obeisance, as if nothing had happened. "Mais comment donc, Monsieur Craggs," said the King going up to him, "*est-ce que c'est l'usage de ce pays de porter des belles dames comme un sac de froment?*" "Is it the custom of this country to carry about fair ladies like a sack of wheat?" The Minister, struck dumb by this unexpected attack, stood a minute or two not knowing which way to look; then, recovering his self-possession, answered, with a low bow, "There is nothing I would not do for your Majesty's satisfaction." This was coming off tolerably well; but he did not forgive the telltale culprit, in whose ear, watching his opportunity when the King turned round from them, he muttered a bitter reproach, with a round oath to enforce it; "which I durst not resent," continued she, for I had drawn it upon myself; and indeed I was heartily vexed at my own imprudence."—(*Letters of Lady M. W. Montague*, Vol. I. p. 37.)

George I. was a man of a middle height, features somewhat round, and quiet though pleasant manners; George II. was a little brisk man, with an aquiline nose, prominent eyes, and was restless though precise. He was so regular in his habits, that Lord Hervey said he seemed to think 'his having done a thing to-day' an unanswerable reason for doing it to-morrow.' He had no taste; was parsimonious, yet could be generous; was a truth-teller, yet destroyed his father's will; loved a joke, especially a practical one—on others; did not love his children till they were dead, (he hated, he said, to have them running into his room;) had mistresses, yet was fond of his wife; was a kind of Sir Anthony Absolute in all things; is supposed to have been the original of Fielding's King in 'Tom Thumb;' and Lady Mary says, 'I looked upon all the men and women he saw, as creatures whom he might kick or kiss for his diversion.'

His overpowering little gentleman had, however, a wife, taller

and gentler, who ruled him by her very indulgence, and to whom he had heart enough to be grateful. His mistresses had so little influence, compared with hers, as to put the courtiers on a wrong scent; and many an astonishment and reproof were vented against them, which they were powerless either to prevent or explain. Sir Robert Walpole's own good-nature helped him to discover this secret; for a less indulgent man than himself would hardly have been able to conceive it. It has been well said, that 'every man's genius pays a tax to his vices.' It may be added, that every man's virtues hold a light to his genius. Be this as it may, Sir Robert made the discovery; and in paying his court in the right place, governed King, mistresses, and all, to the astonishment of the nation. Queen Caroline was a comely, intelligent, liberal German woman, of the quiet order, such as Goethe, or Schiller, or Augustus la Fontaine would have liked. She would have made an admirable mother for the heroines of Augustus's novels. She carried herself to the King's mistresses as if they had no existence in that character, but were only well-behaved prudent women; and it was lucky for all parties that such they really were. The amiableness of Mrs Howard (Lady Suffolk) is well-known; and Madame de Walsingham (Lady Yarmouth) is seldom mentioned by her contemporaries, says Mr Jesse, 'without some tribute to her good-nature and obliging disposition.' The Queen, therefore, ruled willing subjects on all sides; and her levee presented a curious miscellaneous spectacle. Caroline was a great lover of books; and though the reverse of ascetic or bigot, she did not omit in her studies either philosophy or controversial theology. She received company at her toilet, and among the courtiers and ladies were to be found metaphysicians and clergymen. Mrs Howard dressed her hair; Dr Clarke mooted a point about Spinoza; and Lord Hervey enlivened the discussion with a pleasantry: Sir Robert comes, on his way from the King, to bow and say a word, and catch some intimation from a glance;—all make way for him as he enters, and close in again when he goes;—and in the antechamber is heard some small talk with the lady in waiting, or a scornful laugh from Mrs Campbell (Miss Bellenden.)

Mr Jesse says, that 'the Court of George II. was neither more brilliant nor more lively than that of his predecessors.' This can hardly be possible, considering that it had more women, and that there was still a remnant of the maids of honour that flourished in his Court when he was Prince of Wales. And who has not read of the Bellendens and Lepells, of the Meadowses and the Divesses, the witty Miss Pitt, and Sophy Howe, who thought she could not be too giddy and too kind till a broken heart undeceived her? Do they not flourish for

ever in the verses of Pope and Gay, and the witty recitals of Horace Walpole? Now Mary Bellenden still visited the Court as Mrs Campbell; Mary Lepell was surely there, too, as Lady Hervey; Mrs Howard remained there till she was a widow; and thither came the Chesterfields, and Schultzes, and Earles; and Young, (to look after a mitre, the want of which gives him terrible 'Night Thoughts.')

It must be owned, however, that there is a falling off. The sprightliest thing we hear of is a frolic of the maids of honour at night-time, in Kensington Gardens, rattling people's windows and catching colds. The King hunts as ardently as he used to do when he was Prince, taking his whole household with him, maids and all, and frightening Lady Hervey for the bones of her friend Howard. She had known what it was. Here is a picture of those days from Pope, answering to both periods:—

'I met the Prince with all his ladies on horseback, coming from
' hunting. Miss Bellenden and Miss Lepell took me into their
' protection, contrary to the laws against harbouring Papists,
' and gave me a dinner with something I liked better, an oppor-
' tunity of conversation with Mrs Howard. We all agreed that
' the life of a maid of honour was of all things the most miser-
' able; and wished that every woman who envied it had a spe-
' cimen of it. To eat Westphalia ham in a morning; ride over
' hedges and ditches on borrowed hacks; come home in the heat
' of the day with a fever, and (what is worse a hundred times)
' with a red mark on the forehead from an uneasy hat; all this
' may qualify them to make excellent wives for fox-hunters, and
' bear abundance of ruddy-complexioned children. As soon as
' they can wipe off the sweat of the day, they must simmer an
' hour and catch cold in the Princess's apartment; from thence
' (as Shakspeare has it) to dinner, with what appetite they
' may; and after that, till midnight, work, walk, or think,
' which they please. I can easily believe no lone house in
' Wales, with a mountain and rookery, is more contemplative
' than this court; and as a proof of it, I need only tell you,
' Miss Lepell walked with me three or four hours by moon-
' light, and we met no creature of any quality but the King,
' who gave audience to the vice-chamberlain, all alone, under
' the garden-wall.'

Afterwards, when the Prince was King, we read, in the notes to the '*Suffolk Correspondence*,' of pages and princesses being thrown during these 'immoderate huntings;' and lords and ladies being overturned in their chaises. To hunt in a chaise was an old custom. Swift describes his meeting Queen Anne hunting in a chaise, which, he says, she drove herself, and drove 'furious-ly, like Jobu; and is a mighty hunter, like Nimrod.'

The King never lost his passion for making a noise with his horses, neither did his punctuality forsake him. His last years, Walpole tells us, 'passed as regularly as clockwork. At nine at night he had cards in the apartments of his daughters, the Princesses Amelia and Caroline, with Lady Yarmouth, two or three of the late Queen's ladies, and as many of the most favoured officers of his own household. Every Saturday in summer he carried that uniform party, but without his daughters, to dine at Richmond; they went in coaches and six in the middle of the day, with the heavy horse-guards kicking up the dust before them—dined, walked an hour in the garden, returned in the same dusty parade; and his Majesty fancied himself the most gallant and lively prince in Europe.'

George II. died at Kensington, aged seventy-eight, after having risen at his usual hour, taken his usual cup of chocolate, and done his customary duty, in ascertaining which way stood the weathercock. Here we shall close our cursory glances at the Courts of England. Mr Jesse concludes his work with notices of a variety of other people, royal and aulic, but they do not tempt us to say more.

ART. V.—1. *Researches in Asia Minor, Pontus, and Armenia, with some Account of their Antiquities and Geology.* By WILLIAM J. HAMILTON, Secretary to the Geological Society. Two vols. 8vo. London: 1842.

2. *A Journal written during an Excursion in Asia Minor.* By CHARLES FELLOWES. 8vo. London: 1838.

3. *An Account of Discoveries in Syria, being a Journal kept during a Second Excursion in Asia Minor.* By CHARLES FELLOWES. 8vo. London: 1841.

A TRAVELLER should always be an enthusiast; it matters, perhaps, but little what the object of pursuit may be, so long as the chase is ardently prosecuted; but the necessity is urgent of finding some goal for his labours—of setting before him some prize, the hope of gaining which may lure him onward through all the difficulties that surround his career. Nor will the actual value of the end desired affect the earnestness of his search for it. Bruce was as sincere in his enthusiasm, and even more determined in his perseverance, when seeking for those two trickling springs which were called the 'fountains of the Nile,' as were

any of the adventurers whom the hopes of boundless wealth stimulated to search for the fancied El Dorado. ●

It is this enthusiasm which gives so vivid a charm to the narratives of the earlier travellers. The real difficulties they had to encounter were great, the fancied ones greater still; so that nothing but the stimulus of a genuine enthusiasm could support them under their trials; and this enthusiasm, mixed as it is with an ample share of credulity, and occasionally with more than a suspicion of exaggeration, gives a large portion of life and freshness to their pages.

In our latter days, travelling through Europe, certainly, and, for the most part, in America, is much too easy. The tourist need seldom descend from his post-chaise: he need encounter no more serious evil than a damp bed, or dinner delayed. He requires no enthusiasm—too often he feels none. With an effort he may contrive to display a little, in the proper seasons; when placed by his diligent Cicerone in the presence of some glory of nature or art; but the effort is painful, the enthusiasm fictitious; it is quickly evaporated; and if he attempt, subsequently, to transfer its expression to his Journal, in all probability the chill perception of unreality will entirely destroy its effect, and make the reader long to return to the garrulous, credulous, incredible pages of Coryate or Marco Polo.

The charge of want of enthusiasm cannot, assuredly, be brought against either of the travellers before us. Both were inspired by a genuine love for antiquity, caused and accompanied by an intimate acquaintance with those details of history, religion, manners, and art, which furnish materials for comparison and association, and give to the study of antiquities all its charm. To the cultivated reader, the volumes of Mr Fellowes will prove the most attractive in style, as they have been more carefully prepared, and his narrations are given in a condensed and spirited manner. Mr Hamilton has preserved his notes in their original form of a Diary, which makes his details in some places appear monotonous; yet he is not behind his fellow-traveller, either in ardour, or in the amount of new and interesting facts contributed to the stock of knowledge.

Among the countries which will ever be surrounded with interest from their associations with the past, we must assign a high, perhaps the third, rank to Asia Minor. Palestine, as the birthplace of our religion, as the Holy Land heretofore consecrated by a Divine presence, will claim the most sacred sympathy from every Christian; and Greece next, with her many remaining emanations from the spirit of beauty, her poetry and eloquence, and the memories of high virtues which

were the fit inspiration of both. The interest of the regions of the Lesser Asia, if inferior, is yet derived from a combination of the sources of that which attaches to Greece and Palestine. The Greek colonies that multiplied so fast throughout their whole extent, rivalled the parent country in all the attainments, whether of literature or art. The productions of many authors whose names are cherished with as much reverence as those of Athens herself, and the material relics that still lie thickly scattered over the sites of many renowned cities, prove how complete was the imitation. In after ages, it was there that St Paul laboured most successfully—it was there that arose the Seven Churches addressed in the Apocalypse.

If we continue to trace the history of this country, we find it will present in all times the same features;—always a land whereon important events have passed, and notable changes been exhibited; yet never independent, nor, in any great degree, itself interfering in the change or the event, but serving rather as the field for the conflicts of other nations;—much as the Low Countries have served for the contests of other European powers.

The tide of conquest which, rolling towards the east, and commencing with the burning of Sardis, bore the Macedonian phalanx to the Hyphasis, and the Roman eagle to the Ganges, sent every successive wave through its plains; and when the reflux came, here were witnessed the first struggles against that Saracenic invasion which the Pyrenees hardly checked; and here, step by step, the decaying energies of the Byzantine empire recoiled before the advance of the Turkomans. In short, from the days of Homer, to those when the crescent finally planted its conquering ensign upon the walls of Byzantium, the historian would find but few intervals, and those of brief duration, wherein his attention was not demanded by the eventful scenes of Asia Minor.

Since this country has been under the undisturbed dominion of the Grand Seignior, few of its districts have been accurately examined. Except the coast line, where trade was always carried on to a considerable extent with one or other of the maritime powers of Europe; and the ruined sites of the Seven Churches, to which pilgrims were attracted by the desire to learn the existing state of places so renowned in the Apostolic ages; little was known either of the condition of the present, or the relics of the past inhabitants. The curiosity for antiquarian discovery was absorbed by the nearer attractions of Italy and Greece; and till lately there has existed a strong impression of the insecurity of travelling in this country, and of the lawless habits of the tribes that are to be found in it—an impression which does not seem to be well founded.

It is only by these considerations that we can explain the fact, that a country with which England has long held commercial intercourse, whose great port of Smyrna is, in a few days, reached by the steamer from Malta, should not even yet have had its geographical features accurately ascertained. The maps that accompany the works both of Mr Hamilton and Mr Fellowes vary considerably from the most elaborate of those previously published; the authors allude frequently to the fatigue and disappointment perpetually encountered from their acting upon the information of the charts they brought with them; and, as they explored only a portion of the whole country, their accurate delineations of the routes traversed, can but partially supply deficiencies.

A cultivated mind can never fail to find its sympathies engaged when passing through scenes to which history has given renown. But a still more vivid interest must attach to any place where the past has left not only recollections but relics—where some actual remains are found that speak to us through our senses—and endow with substance the fleeting shadows, so to speak, of the ancient world.

The Lesser Asia is strewed thickly with memorials which still retain a large portion of the beauty they originally possessed, and amply confirm the historic records of their magnificence. And, ruins themselves, the cities of Lycia, Phrygia, and Mæonia, are piled upon other ruins that tell of more than one race whose sway must have been of no brief duration, and whose manners and civilization were of a character quite different from that of their successors.

The earliest erections that have been recognized exist in walls of what is termed Cyclopean construction: these are composed of huge blocks piled together with perfect precision, but without cement, and still retaining their original form;—no tool having been employed upon them to reduce their shape to a regular pattern. This mode of building presents a curious analogy to the polygonal architecture of the Mexican temples: some resemblance to it is also found in the construction of the vaults of the Pyramids. We must either assign to the Cyclopean structures a period so remote, that the manufacture of tools capable of cutting stone was unknown; or adopt the hypothesis, that some religious feeling prohibited the destruction of the natural rock—a feeling that makes its appearance also in the Hebrew mode of erecting their altars, and in the plan pursued in the building of their temple. Associated with the Cyclopean walls are erections which Mr Hamilton has noted as forming a peculiar style: the blocks of which they consist are found rudely squared and laid in courses,

but with no equality in their size, and without cement. The more primitive bulwarks are sometimes found repaired with masonry in this style. As a secondary system, are to be remarked gateways, whose sculptures in some measure resemble the Egyptian; and tombs emblazoned with the Lion of Persepolis. These intervene between the rude buildings we have mentioned and the beautiful edifices of the Greeks.

But it is of Grecian art that we encounter the most striking and abundant relics. Many cities, in fact, contain no other; thus showing that the Greek colonies were, both in time and number, the lasting and chief possessors of the country.

Later than the Greeks came the Roman conquerors, to be traced here, as too often elsewhere, chiefly in the character of destroyers; having not unfrequently employed marbles enriched with Hellenic sculpture in the erection of lines of fortification.

In no long time the Roman—that is, the Latin—domination was superseded: the division of the empires took place, and Asia Minor was again Grecian, having only abjured the ancient worship of Greece. Then arose the edifices of the Byzantine period, where we find the inscriptions and architecture still Greek; but the sign of the cross proves that temples and theatres were already abandoned to desolation; and other signs quite as plainly show, that art had become infected by the fatal degeneracy which was so rapidly corrupting the whole frame of the Lower Empire.

Unquestionably a higher idea of the extraordinary nature of Grecian civilization is to be derived from the relics to be found in Asia Minor, than from those of Athens itself. In the latter, doubtless, works of exquisite design are yet existing in better preservation, and scattered in greater profusion. But in Asia Minor we are struck not only by the mere number of the cities, but also by the deep root, the perfect possession, which the Greek *spirit* had so manifestly taken of the whole country. The beautiful erections that are left, do not appear as solitary trophies of a conqueror's vanity—such as the Romans left in the shape of a fortress or an aqueduct in chosen spots of their subjugated provinces. The Greeks themselves built cities and peopled them. Every where are found temples where the deities of Greece were worshipped; stadia for the celebration of their games; theatres for the representation of their dramas—the very sites of which proclaim that love of the beautiful so universally manifested among the Greeks. For, as Mr Hamilton remarks, the spot selected for their erection is always that whence the spectator could command the most lovely landscape, and where

the beautiful realities of nature enhanced the beautiful illusions of art.

Nothing proves more strongly the high state of cultivation which society had attained in Asia Minor, than the multitude of *inscriptions* in every one of its cities. St Petersburg, in the present day, can boast of a collection of edifices on which far more labour and expense have been lavished, than, probably, was bestowed upon any city of antiquity excepting Athens. Yet in the capital of the Czars the very shops are obliged to have recourse to pictorial representations, to inform the passengers of what nature are the commodities dealt in. It is not two centuries since London itself had its houses of traffic distinguished by signs, appended to their doors, for the benefit of that large class of the community who could not read. But the Greek public was evidently of a kind to whom an inscription was intelligible; for these are often addressed to cultivated readers, and are sometimes of a nature that must have rendered it very inconvenient to be unable to interpret their meaning. Orders and notices from the governing powers, edicts of state, and abstracts of public acts are discoverable. Besides, there are many containing monumental memorials, votive dedications of offerings to the gods, honorary testimonials to the virtues of individuals, and some registers of historic facts.

Some curious specimens of bilingual inscriptions were observed by both Messrs Hamilton and Fellowes,—marking periods when an intermixture of two races was in course of progress. At Angora, (the ancient Ancyra.) Mr Hamilton was able to copy a large portion of a translation into Greek, of the Latin inscription upon the temple of Augustus, known as the *Monumentum Ancyranum*. Several chasms in the inscriptions occurring in the Latin, were there supplied; and another portion still exists, although unattainable for the present, being concealed by the thick wall of a modern house, built against the ancient temple. Mr Fellowes, however, has discovered yet more remarkable inscriptions, which refer to a double population long preceding the entrance, or, possibly, the existence of the Romans. At Xanthus, and some other cities of Lycia, he found bilingual inscriptions where the two languages were Greek, and another of quite distinct character, whose alphabet, even, cannot yet be interpreted; but which Mr Fellowes supposes to be that of the ancient inhabitants of the country, and calls Phrygian. The letters show no approach to the oriental conformation, being chiefly of angular forms, with lines as distinct and sharply traced as the Greek; but as Mr Fellowes, after making a third voyage to Syria for the purpose, has succeeded in depositing a long series

of the Xanthian marbles—seventy-eight in number—in the British Museum, some of which contain specimens of the characters in question, we probably may, ere long, have more light thrown upon these obscure records of remote ages.

A question of some interest in the history of architecture, may perhaps be solved by further examination of the cities of Asia Minor; namely, the period of the discovery of the arch. In the course of their investigations, both the present travellers met with remains wherein a gradual approach to the principle of the arch was visible. The most distant resemblance was one found frequently occurring in gateways, covered in above, by an arrangement of blocks similar to that existing in the tomb of Agamemnon at Mycenæ: the courses of marble are made to project a small distance, each over their subjacent stratum, so that the sides gradually incline towards each other, and the top is closed by one long slab. Sometimes the perfect form of an arc was given by cutting away the projecting edges, and scooping the interior surfaces into a curve. A modification of this plan next occurs, presenting instances where the upper block is supported, like a keystone, by lateral pressure; and at length, in buildings contemporary with the Roman era, we find a perfect arch, with its system of *voussoirs* and *abutments*.

Remarkable even above the edifices for the use of the living, are the erections in memory of the dead. And these latter exist universally in a better state of preservation; since every new conqueror left those sacred abodes unviolated, however much the necessities of defence or the varieties of taste might induce him to remodel the cities themselves. Only in places where the Turks have built in the neighbourhood, and had recourse to the sepulchres for their almost inexhaustible supplies of marble, are there any signs of mutilation other than those which time has caused. The extent of the cemeteries is often so much vaster than that of the cities to which they belong, as to indicate a long period of existence in the several towns;—the space occupied by the dwellings of the living being, as just observed, so much more circumscribed than that devoted to the resting-places of past generations. The most ancient traces of sepulchres that are found, appear to belong to the ante-Grecian period, and are probably Phrygian or Phenician: inscriptions occur among them, but not in the Greek character. The distinction between their construction and those of the Hellenic era, is, that the former are excavated in the rocks, not erected above ground; and the enormous numbers in which they are found, bespeak the long-protracted existence of a dense population. Passing the Soanli

Dere, near the ancient Soandus, after accomplishing the ascent of Mount Argæus, Mr Hamilton entered the following scene :—

“ Proceeding along the western branch of the valley, we soon reached a narrow pass between high cliffs of volcanic tuff, capped with horizontal beds of a harder variety of the same formation, numerous fragments of which covered the talus at the foot of the cliffs. Presently we reached an insulated mass of rock on the left side of the road, in which a thousand tombs or grottoes had been excavated. The scene in front became singularly curious and striking, as we thus entered what may be really called the commencement of Soanli Dere: the cliffs on either side of the valley were perfectly honey-combed with a countless number of excavations, dwellings, and tombs, hollowed out of this soft and peculiar rock, to the height of two hundred feet, and many thousands of which are inaccessible from without. A little way further on, we passed through an arch cut through another mass of rock which projected over the road and entered at once into this wonderful valley, which, for its strong peculiarities and mysterious character, far exceeded in interest any thing I had been led to expect. Curious as the scene was, it became more wonderful at every step. As the valley narrowed, and the cliffs on either side became more perpendicular, they were covered to the very top with innumerable caves and excavations; some of which were large and handsome, with broad openings and architectural façades; while others again were plain and small, resembling windows in the face of this natural wall. Some of the larger grottoes were covered with every variety of architectural ornaments; arches supported by rich pilasters, decorated cornices, elaborate architraves, and columns, all cut out of the solid rock, vied with each other in giving to this wild and abandoned valley, the strange and mysterious appearance of a conflict between habitation and desolation. At the extremity of the point between the two ravines, stood the ruins of a small Byzantine church of very ancient date; above which the cliff was again excavated in an extraordinary manner, studded with innumerable caves, one above the other, which, from the circumstance of the front of many of them having been worn away, presented a strange appearance. I climbed into several of them, in one of which were remains of painting, as well as a handsome cornice round the ceiling. Near the chapel above mentioned, was a burial-ground: the grave-stones of which seemed to have been cut out of small projecting pinnacles, and very rudely finished; all faced the north: some had small niches with a cross carved beneath them.”

Many other localities were found to contain rocks excavated into sepulchres as at Soanli Dere. In some places, the tombs, which Mr Hamilton compares to pigeon-holes, appeared to have been enlarged and employed as places of Christian worship. Probably this was done during some of the earlier persecutions, which were felt in all their cruelty throughout Asia Minor, then the stronghold of Christianity. At such times, these caves would offer to the disciples places of refuge and secrecy for the perform-

ance of worship. The few scattered and unintelligible Greek letters found graven upon the walls in some of the excavations, may perhaps be referred to these latter frequenters. A multitude of monumental buildings exist, belonging to the genuine Greek school. Many of these are of most elaborate and beautiful construction, with rich carvings; on some of them may still be recognized the traces of the colours that were once employed to give greater brilliance to the sculpture. Many of the inscriptions upon the monuments are very striking. One at Nicæa bears only these words—‘Paulinus, son of Aulus, lived seventeen years. Farewell.’ Another at Soma (anc. Cerma,) runs thus—‘Onesimus the father, and Chryseis the mother, made this tomb for their sweetest child Polychronius, for the sake of remembrance.’ The last words of the latter inscription are constantly recurring, and are often the only part still to be deciphered. Mr Bewick’s well-known vignette of the ruined church with the broken tombstone, whose fragmentary inscription runs—‘This monument is erected to perpetuate the memory of —,’ may find a thousand resemblances in Asia Minor. How often might we meet with scattered columns that once bore the memorials of affection to the departed, standing ruined amid a city in ruins, and a province almost unpeopled, retaining only the half-obliterated final syllables ‘MNHMHS XAPIN!’

The inscriptions, of every kind, found throughout this country, lead to the conclusion that the peculiar forms of social life and habits that existed in Athens, prevailed very generally among the colonies in Asia; and many questions present themselves for investigation concerning the colonial policy of the Greeks, prompted by the remarkable character of their colonization as evidenced in the remains they have left. Evidently their possession was founded on far different principles from that of the Romans, who were contented with simple military predominance; building a few fortresses, and allowing the inhabitants to continue undisturbed in the use of their ancient forms of worship, life, and speech, provided they paid the capitation tax. It was the easy yoke imposed that rendered the Roman conquest so rapid, and subsequently made the division of the empire inevitable; for the fracture took place at the junction of the two languages—the Lower Empire absorbed the provinces where the Greek prevailed, and those eastern provinces that lay beyond—Rome retaining the Latin and Ultra-Alpine territories.

Still less did the Greeks colonize merely for commercial purposes, as did the Phœnicians when they founded Carthage, or as the modern European nations were accustomed to do, at least in the eastern hemisphere, till within the past century. The

roots of the Roman power were only slightly fixed, but those of a mere trading establishment would be weaker still. They are often confined for a long period to a narrow strip of coast, where commerce may be carried on. A city gradually arises around the harbour, but the colonists live only as strangers in the land; their presence effects little change in the nation they are thrown amongst; their races seldom become intermixed—their manners are distinct—their interests conflicting. A colony of this description cannot weather a storm, and when uprooted it leaves no trace behind. Far otherwise did the Greeks establish themselves in Asia. They made the whole country Grecian—they carried thither their religion, their usages, and their poetry. Their arts were cultivated—their laws observed—their language spoken, universally. As a consequence, after the cessation of their subjection to Italy, the provinces of Asia Minor threw off every taint of Latin infection, and became again purely Greek; retaining their independent nationality for centuries after the empire of Rome had crumbled into fragments. They yielded only by slow degrees to the irresistible tide of Mahometan invasion; and still preserved a Greek population, keeping itself distinct amid the multitude of its conquerors, and, though subjugated and trampled on, retaining not a few proud recollections of former glory.

Connected with the questions relative to the Greek system of colonization is the remarkable fact—which is proved more strongly the more we examine the ruins of their cities in Asia—that is, the wonderful uniformity displayed in the productions of Grecian art. Throughout the wide extent of country embraced in their Asiatic colonies, and extending to the valley of the Euphrates, the style and design of all their edifices present the same characteristics. The execution is in some instances ruder than in others, and the materials coarser in districts where marble is scarce; but in all cases—whether we regard the whole plan or its separate portions—whether we examine the design of the buildings, the carvings of a column, or the minute sculpture of a frieze—the pure Greek taste is always evidenced, and the identity of genius and design recognised. Of no other people could we assert this: where else could we expect to find, in the fragments of temples erected in remote colonies, a purity and elegance such as Mr Fellowes in more than one place declares to have appeared little inferior to the sculptures of the Parthenon?

The researches of Messrs Hamilton and Fellowes, fruitful as they have proved, have by no means exhausted the rich stores strewed over the country they visited. In fact, they have done little more than indicate what a plentiful harvest of discovery

is yet left for future travellers to reap. The traces of their routes given upon their own charts, show at a glance how great an extent of those regions is yet to be explored; and many of the cities they saw, but which their time allowed them only to traverse hastily, are well worth a more leisurely examination. In some of them, the number and good preservation of the marble sculptures and edifices promise much interesting information. For many, the names and position have yet to be assigned; and, every where the traveller will be attracted by the opportunity of pursuing novel investigations—of forming new theories; and by the hope of clearing up some doubts that may have arisen relative to the accounts transmitted to us by the ancient historians. Nor will the excitement attending uncertainty be absent. In some districts he will find himself suddenly brought into the midst of a city of ruins, hitherto unknown; or visited only by tribes of wandering Kurds, who have given it the general title of Bala Hissar, or *Old Castle*—the adjective being obviously a reminiscence of the Greek *παλαια*. A deep interest, not unmingled with melancholy, must be excited in a region where the traveller may, at any hour, find himself in such a scene as the following—entered upon by Mr Hamilton without any previous expectation, and left behind with no clue to the city's name or history:—

‘About half-past three, while crossing this flat country, my attention was arrested by several square blocks of stone in the fields on the right; and on proceeding to examine them, I found myself on the site of an ancient city. The ground and walls between the enclosures contained many similar blocks, some of which were still *in situ*, others mere pedestals, but without inscriptions, while broken pottery and tiles lay scattered about in all directions. The most remarkable feature was what may be called a street of tombs, extending in a N. by E. direction from the town. All of them had been much injured, but the foundations of many were still perfect. The whole area of the city had been ploughed over, but the remains of walls of houses and other buildings were every where visible, in one of which, of undoubted Hellenic construction, two or three courses of stone could be traced for some distance. A little to the S.W. of the tombs were the foundations of a small building, with several broken columns, five or six feet high, still *in situ*; but these, as well as the other remains, were quite plain, and consisted of the common limestone of the country. No traces remain of the town having been surrounded with walls or otherwise fortified. The ruins extended on both sides the road, and were in places much overgrown with vegetation. I can form no idea as to the name that should be given them; the Turks call them *Kepijih*;—there are, however, so many towns of Lydia and Phrygia still unplaced, and which it is scarcely possible to fix, in the absence of inscriptions and other more direct testimony, that conjecture would for the present be useless.’

The discovery of some curious subterranean passages was made by Mr Hamilton at several places in Pontus; where ancient castles, situated upon precipitous rocky heights, were found to be connected with vast caverns penetrating into the earth at a steep inclination, and to a depth not yet ascertained. At Tocat, Gil-
leh, and Tourkhal were to be seen the apertures of these chasms, which the Turks regard with no little awe;—supposing them, probably, the entrances to some dread abyss. Upon attempting the descent of the cave at Tocat, Mr Hamilton's guide 're-
'monstrated vehemently, and talked much of Sheitan,' (Satan.) An obstacle, greater than any terrors of Sheitan, prevented the full exploration of the cavern; arising from the steepness of the descent, which was at an angle of more than 45°. At Unieh, Mr Hamilton again met with a similar opening, down which he cast stones, being unprovided with a light or ropes to enable him personally to descend. The stones, says he, 'bounded off
'twenty or thirty steps at a time, and I heard them distinctly for
'twenty-four or twenty-five seconds, when the sound became too
'faint to be distinguished.' Afterwards, when visiting Amasia, our traveller accomplished his purpose of exploring one of these caverns to its extent. The cavern selected was that mentioned by Strabo, in his account of his native place, under the title of *σπηγγα*.

'Having seen so many of these places, I determined to descend this one and to explore its recesses, having procured a guide and lights, and being told that a fountain of excellent water existed at the bottom. My opinion of its antiquity was at first rather shaken, by finding the entrance, sides, and roof arched over with bricks; but after descending about 20 feet I reached the old entrance, formed of Hellenic masonry. The descent, which was extremely steep, the steps being either worn away or filled up with mud and gravel, commenced rather inauspiciously, by my sliding down fifteen or twenty steps at once. Here I observed that the sides were in several places built up with Hellenic blocks in the same style as the entrance; and having at length reached the bottom, at the depth of about 300 feet, I found a small pool of clear cold water, the wall around which was also of Hellenic masonry; it appeared to have been originally much deeper, and to have been filled up with stones, and may therefore have been one of the wells so destroyed by Pompey's order; or perhaps those which are described by Strabo * as being destroyed by Pompey in the war against Arsaces, were of this description, as he applies the same word *ὀρεῖα* in both cases.† The rock through which this has been cut is a hard limestone, but it sometimes passes through beds of soft friable schist, supported by walls where required. I may add, that the subterranean passages already described at Unieh, and Tourkhal so closely

* Lib. xii. p. 560.

† Lib. xii. p. 561.

resemble this of Amasia, that there can be no doubt as to their antiquity; and this increases the probability of those places having been some of the strongholds of Mithridates.'

It seems highly probable that the subterranean passages here described were not altogether artificial. We are led to this conclusion, both by the negative testimony, that only in a few places are they discovered, although fortresses of as much importance, and of the same position and character, occur in great numbers; and by the positive probability deduced from the mineralogical character of the places where they exist; since they are all situated in the neighbourhood of the mountainous regions which fringe the shores of the Euxine, and in the metalliferous districts of Asia Minor. The mines of Marsavan, producing silver and copper, lie within a few miles of three of the sites (Gilleh, Tocat, and Amasia,) where the caverns are found; and Unieh is in the country once called Chalybes, from its stores of iron ore, and where there exists a population still employed in collecting and smelting the metal. We find also mention made of a fountain in the marketplace at Gilleh, producing a large volume of water whose source was not known by the inhabitants of the place, but was evidently derived from a subterranean passage;—thus leading to the conclusion that the strata were perforated naturally. Besides, what motive could have led to the expenditure of labour to so vast an extent as must have been required for an artificial excavation? and why would the projectors have chosen a shaft inclined at the steep angle observed in all the caverns?—If they were intended as wells, a perpendicular pit would have been easier to excavate, and more useful when finished. Mr Hamilton, indeed, suggests the idea that the places where they occur were used by Mithridates, in his war with the Romans, to serve as hiding-places in case of assault, or as depositories for treasure. But their position, and the absence of any attempt to conceal their openings, bear strongly against this hypothesis. Besides, why were they dug so steep? if a perpendicular shaft were best for a well, one nearly horizontal should have been adopted for a store-house.

The existence of vast perforations is abundantly proved in almost every case where a mountain has been formed by recent volcanic agencies. Upon Mount Etna many caverns are to be found, inclined commonly at a steep angle, and formed by the action of the currents of lava which flowed down the sides of the cone; for while their outer surfaces had cooled and solidified, the matter in the interior, remaining fluid, had flowed onwards, leaving behind a vast tube, which subsequent lava currents covered deeply with superimposed strata. The volcanic deriva-

tion of all the mountain ranges in Pontus, and even through every province of Asia Minor, is so evident, that the analogy of the Etna caverns leads us to assign a similar origin to the adyts described by Mr Hamilton.

Asia Minor offers an abundant field for geological research, and one peculiarly deserving examination; inasmuch as throughout its regions many of the grandest operations of natural forces have lately been, even still are, in course of completion. As far as the globe has been explored, there has been found no part of the surface, of equal size, so *young*; and as the same natural causes have been at work many ages before, in various other localities, it is interesting to observe their traces where time has left them most fresh and ineffaced. In Mr Hamilton's work are scattered a multitude of observations which prove how richly the labour of the geologist would be repaid by the discoveries he is so certain to make. The author has embodied most of his own observations in Memoirs presented to the 'Geological Society,' and printed in their 'Transactions;' but the facts observed are so singular, and the evidences so strong of changes still incomplete, that we cannot refrain from noticing a few of his discoveries.

Although no volcano is actually in activity at the present day, nor any mark of fire existing internally to be found—with the exception, perhaps, of the Yanah Dagb, which has continued to stream in a current of inflammable gas ever since the days of Pliny—traces are very legible of extended and recent eruptions. A whole district, called anciently Cateacaumeni, or *Burnt-up*, is especially of this description; bearing a close resemblance to the volcanic regions in the south of France. In numerous instances facts have been collected which prove that some violent convulsion had caused the primary rocks of granite and trachyte to burst through the strata of more recent depositions—disturbing their continuity, and occasioning chasms in their various beds. At no place was this more remarkably evidenced than at Nemb Shcher, situated in the midst of a completely volcanic district, lying west of Mount Argæus.

'At a quarter after nine,' says Mr Hamilton, 'we were in the village, situated on the extreme edge of the table-land, with a deep valley beyond. On arriving at this edge, I witnessed a most curious and extraordinary sight: in the several valleys spread out beneath our feet, towards the east and north-east, many thousand conical hills, or rather pointed pinnacles, varying in height from 50 to 200 feet, rose up in all directions, so closely arranged that their bases touched each other, leaving only a narrow path between them, and presenting a most strange and inexplicable phenomenon. In many places they were so slender and close together, that they resembled a forest of cedars, or lofty fir-trees. As we descended

through the village, and wound round the base of the lofty rock above mentioned, on our left, its sides were literally covered with caves, some of which, from the front wall having fallen away, presented vast apartments supported by columns; on our right was an insulated pinnacle, rising up in the centre of the village to a height of more than 200 feet, excavated on all sides, and offering many windows and openings even near the very summit, an approach to which appears impossible, except by an internal staircase cut in the rock itself.

Mr Ainsworth,* who has since visited Nemb Sheher, (or, as he spells it, Nev Shehr,) observed some hills which had been curiously worn by the rains, having assumed the shape of inverted cones, and resting in apparent insecurity upon a small point: the forms were caused by the abrasion of the surface, except where protected from the destructive agencies of the weather by a layer of more compact substances. The same phenomenon was observed by Bruce in Abyssinia; is to be seen among the clayey heights that fringe the Ohio; and also in a totally different species of formation—the glaciers of the Alps.

Some conical hills, not unlike those seen at Nemb Sheher, as above mentioned, only formed by another process, and still growing—if we may use that term for an increase of dead matter—were observed at Gumiskhana, in Armenia. Water was there the instrument of elevation—a function the reverse of its general action.

‘At half-past seven we passed a group of remarkable conical hillocks, consisting of thinly laminated calcareous sinter or travertine, and which have been produced by the successive deposits of a calcareous spring, still flowing, and in the act of forming another cone in the immediate neighbourhood. It is probable that, when the deposit from the water had raised the sedimentary tumulus to a certain height, the spring flowed with less rapidity, and with so much less force that the old vents became gradually choked up by fresh deposit, and the water was forced to seek a new opening, where it continued to deposit its laminated matter as before, until a fresh hillock was produced, and the same process again renewed. The spring now rises about fifty yards to the east of the old mounds, having commenced forming a new one. The water, which I tasted, was not very cold, but strongly chalybeate, and, in a civilized country, would probably be turned to a better purpose than forming such gigantic molehills. About a mile further we passed a village situated on a low hill of calcareous tuff, probably deposited by similar mineral springs in former ages.’

Thermal springs might be expected to exist in a country so

* *Travels and Researches in Asia Minor, Mesopotamia, &c.* London: 1842.

peculiarly composed, and, accordingly, they are found in great numbers. The most extraordinary spring was found at Brusa, which appears to produce the hottest natural water known—the thermometer rising in the fountain-head to 184 degrees, within 30 degrees of the boiling point. This is 72 degrees higher than in any English hot well; and nearly 20 degrees higher than the Carlsbad waters, which are the hottest in Europe. The Turks have erected baths at Brusa, which are much frequented; but rather, it seems, from convenience, and in accordance with the usual customs of the Mahometans, than from any idea of medicinal properties. It is curious that univalve shells of the *Buccinoida* genus are found in numbers in the water issuing from the baths; although it still retains a temperature of 97 degrees, and is slightly impregnated with sulphuretted hydrogen gas. Another consequence of the extensive and recent volcanic action, is the number of instances where the earth is undermined. Many of the streams are found suddenly to disappear into subterranean channels, like the Greek Alpheus, making a reappearance at many miles' distance. We have already alluded to the fountain at Guneh as thus suddenly starting to the surface. After completing a considerable portion of the Hassan Dagh Mountain, in Cappadocia, Mr Hamilton remarked that no stream flows down its sides, leading to the conclusion that the water received from the rains found an exit through the interior. Stronger evidence was afforded by the phenomena of some of the lakes. That of Egirdir presents the singular phenomenon of a lake supplying a large river that flows out of it, although no stream of consequence visibly enters it;—proving that the supply must be derived from springs or mountain torrents, whose *embouchure* is subaqueous. Lake Soghla is still more remarkable in its features; as it is occasionally and suddenly left dry by the escape of its waters through some chasm among the rocks. Mr Hamilton's enquiries have left no doubt as to this fact—

‘Being rather incredulous respecting the drying up of the lake, I made further enquiries about it here, when every thing was confirmed with still more circumstantial details. I was assured that the water disappeared about every tenth or fifteenth year, when the plain remained dry for four, five, or six years; that the water escaped by several chasms in the rocks outside the Boghaz, not in the little lake itself; that when the plain is dry it is sown with wheat, and produces most abundant crops. All the neighbouring peasants sow as much as they can, and the practice is for them to pay half the produce of the first year to the Government, by which the possessor becomes the proprietor so long as the land remains dry, paying for all subsequent years only the usual tenth of the produce. This lake of Soghla is fed by a river which comes from the

lake of Bay Sheher; when the lake is dried up the river flows along the western side of the plain, at the foot of the mountains, and is lost in the chasms above mentioned. It would seem that, after a time, these become choked up, the water cannot escape through them fast enough, and gradually overflows the plain; then, when it rises to a certain height in the Soghla Ghieul, it escapes by the ravine between Eski Serai and Kara Euran, and is lost in the plain of Koniye. All this information was given with so much detail, and from so many various sources, that I cannot doubt its truth. It is certainly a curious and interesting phenomenon, and probably explains many facts respecting the different sizes of the lake as reported by different writers, and the different localities which have been attributed to the Palus Trogites, of which it is undoubtedly the modern representative.

The chasm appears from its effect to be of the nature of a syphon; but where the ultimate issue of the water occurs is not discovered. Perhaps it may not again reach the surface of the earth, but join the ocean beneath its bed—a fact which Mr Fellowes observes to occur near the shore at Adalin, where he says—

‘A curious effect is produced by strong springs of fresh water rising in the sea at the distance of a few yards from the shore, causing an appearance like that seen on mixing syrup or spirit with water; the sea being so clear that the bursting of the fresh water from among the stones at the bottom, though at a great depth, is distinctly visible.’

But more extraordinary still, and apparently incredible, was the stream observed in Cephalonia, flowing *from* the sea—

‘The first object which attracted our attention was the wonderful stream or river which, contrary to the analogy of all other rivers, runs from, instead of into, the sea, and after flowing a short distance down a rugged channel, disappears under the broken rocks. It is situated at the north point of the tongue of land which forms the west side of the harbour of Argastoli; and is so remarkable in its nature that the cave into which it finds its way has never yet been filled, or the river shown symptoms of ceasing. A spirited proprietor in the island had opened a great cavity in the rocks, for the purpose of tracing its mysterious course; but having dug to the depth of ten feet, he still found the water disappear through the cracks and crevices ten or twelve feet below the surface of the sea, from which it was only separated by a narrow wall of rock. This person afterwards took advantage of the great fall he had thus obtained, and the supply of water-power at hand, to erect a large corn-mill moved by an undershot wheel, which was constantly kept at work by the great body of water which he was able to let in from the inexhaustible reservoir of the ocean.’

Many districts are found, where there are manifest tokens that lakes have covered large tracts of ground at a very recent period. In the valley of the Euphrates, those tokens were peculiarly apparent, although few of the rivers were unmarked by the same

appearances: in some cases level terraces, whose edges were marked by *Lacustrum* deposits, were observed with no existing river passing near them. Future observers may be interested in ascertaining the relative level which obtains upon the various lake-beds in all parts of the promontory, and in endeavouring to trace some series of descents between them;—such as exists among the terraces formed upon the sites of dried lakes along the course of the Rhone. It is remarkable that the level tracts formed from the beds of fresh-water lakes, are so often found destitute of trees. In the *prairies* of America this has been long remarked, and it is the same along the valley of the Euphrates; though in both places probably far longer time has elapsed since the lake disappeared than was necessary for the growth of a forest. The cause of this deprivation remains to be explained.

Mr Hamilton's enthusiasm is all expended upon ancient times. The existing state, or living inhabitants of the countries passed through, excite none. Nothing can be more deplorable than their condition, if we may take for granted the opinions repeatedly expressed throughout his volumes. The reformation of the Turks, under the influence of the European predilections of the late Sultan Mahmoud, had already made considerable progress, although far from being complete; but if we can accept as accurate the picture drawn by Mr Hamilton, we must despair of any possibility of their ultimate improvement. Indeed, the internal energy of the Mahometan race is represented as being so utterly decayed, that reforms would only hasten the evil day of its total annihilation, by depriving the tottering structure of whatever support it had derived—and this in all cases is considerable—from the outworks of custom and habit, which, in the lapse of centuries, had risen around it. We are, however, compelled to charge this writer with extreme prejudice in thus stigmatizing the Turkish character. At the first view, so absolute a decay of any portion of the human family would seem alike questionable and melancholy. The mind is reluctant to admit the possibility of any race who have once attained so high a position in civilized life falling into such utter degradation. Nevertheless, examples are not wanting even of a decline as great as this: the memories of the preceding possessors of that very soil are too fresh—the fact of their actual condition too notorious—to leave any doubt of the *possibility* of a ruin as complete as that which Mr Hamilton predicts for the Mahometan. But is the fact so? Does the state of the Turkish power, either in Asia or Europe, support the representation? We shall briefly compare his narrative with his reflections, his facts with his comments, in order to see how the case stands. First, we will quote his summary

of the Turkish character—his ultimate deductions from the occurrences of which he was witness. After describing the system of ‘farming’ the sources of the public revenues, which was very much the same as prevailed in France in the days of the *ancien régime*—but, be it observed, one of those customs now in course of removal—Mr Hamilton specifies an instance, necessarily of very rare occurrence, where the farmer or contractor had lost considerably by his bargain, and then proceeds to make the following reflection:—

‘Trifling as the above instances of maladministration may at first sight appear, and as they would really be if only insulated cases, they are so incorporated with the social existence of the Turkish nation, that they become objects of great importance, and must always be taken into account, when the question of Turkish reform is to be considered. At present it is too evident that the expectations which have been held on the subject by writers, who, from long residence in the country, ought to be better acquainted with the Turkish character, must be disappointed; and every one must feel that the Turks themselves are as yet incapable of that high moral energy and perseverance in the path of duty, which are essential to the accomplishment of any moral or political regeneration.’

‘The future capabilities of the Turkish nation were a frequent source of reflection to me during my solitary rides; but the bigotry and intolerance of Mahometanism ever presented themselves as an insuperable bar to their moral or political improvement, as well as to any reform in respect of their religion itself; for such is the virulence of their bigotry, that the bare idea of a discussion or a doubt as to the merits or infallibility of Mahometanism, will drive the whole population to insurrection.’

Yet their bigotry has not prevented the existence of a large Greek population, left almost uninterrupted in the enjoyment of the rites of their faith—possessing considerable wealth—in all the social relations of life free and undisturbed. The bigoted adherence to the laws of the Koran prohibiting *usury*, has left, as Mr Hamilton himself remarks, the Greeks in possession of the lucrative trade of the banker. Bigotry rarely exhibits itself in so mild a spirit. That it has not latterly become more bitter, we find proved by the fact that even the establishment of a school has recently been authorized among the Unbelievers. ‘I was informed,’ says Mr Hamilton, ‘that a Greek school had lately been established here, (Amasia,) by permission of the authorities—the only one, with the exception of that at Baffra, in this part of Asia Minor.’

Nor does the bigotry of the Mahometans render them incapable of social spirit. In truth, many nations calling themselves Christian, have failed to draw from their better religion an influence so mild and humanizing. The hospitality so

unaffectedly and universally manifested towards the traveller and the stranger, has been often recorded; and Mr Hamilton adds his testimony of its truth. The only semblance of a grudging spirit was manifested in a few villages, where the inhabitants met him with a recommendation to proceed to another halting-place, as being better provided with accommodation;—being desirous, as he tells us he quickly discovered, to shift upon others the duty of entertaining him. Yet if the recommendation were disregarded, and he decided to remain where he was, he immediately became invested with the venerated character of guest, and the best fare that could be provided was placed before him. To supply this provision the villagers made a general contribution, every one bringing a dish to help the feast; and as they did not always know what every man proposed to contribute, it happened occasionally that several dishes of the same sort arrived together. This spirit of hospitality is of no small moment in the qualities of a nation—especially when it is so thoroughly imbued into its character, as we find it in Asia Minor; for not only are the wants supplied of the stranger when present, but his necessities are provided against when he is absent and unexpected—a mere guest *in posse*. In many places where the natural springs are distant, wells have been prepared; or if these could not be dug from the nature of the ground, huts are built, wherein water jars, carefully placed in the shade, are kept constantly full by the spontaneous and unrewarded labour of the peasants.

‘ We were much struck, on all the roads in Asia Minor, at the great number of fountains which are met with. They are invaluable to the traveller over the parched and dried-up plains, and are often the result of the pure benevolence and genuine native hospitality of the Turkish peasant. In some places where there is no spring or supply of water to form a running stream, the charitable inhabitant of a neighbouring village places a large vessel of water in a rude hut, built either of stone or boughs, to shade it from the sun: this jar or vessel is filled daily, or as often as necessity requires, and the water is sometimes brought from a distance of many miles.’

Many of the legends current in different places prove how genuine is their reverence for hospitality. At Malassa, on the banks of the Tchorab, a curious tradition exists.

* Ascending the narrow valley on the right bank of the river, we passed at half-past two an enormous mass of rock lying between the river and the road, at least forty feet high. The following tradition was told us by a suriji respecting it:—A village once stood near the spot, and the rock in question was a haystack belonging to an old woman; one day a traveller arrived on horseback, and requested food for his hungry steed, but the old woman refused to comply with his request, in consequence

of which, to punish her avarice and want of hospitality, her haystack was turned into stone."

We learn from Mr Ainsworth that a similar legend is told in explanation of the existence of the salt-mines at Taz Keny; a village in the neighbourhood of the Taz Ghieul, (or Salt Lake,)—the ancient Tattæa Palus.

The tradition of Haji Becdash's discovery of these mines, relates that the holy man stopped in the neighbourhood to request food, whereupon a dish of eggs was laid before him; but the hospitable hostess forgot the salt, and he did not, even after several requests, obtain this condiment, so essential to the digestion of eggs. The dervish, reduced to perform a miracle, vowed that the village should never again be in want of salt; so, putting his staff into the ground, he opened the subterraneous store that lay buried there.*

A fact which speaks most favourably both for the natural dispositions and the government of the Turks, is the perfect safety the traveller enjoys even while passing through the wildest districts—and not only a safety of person, but also of property. More than one instance is related by Mr Hamilton of the honesty displayed by the inhabitants. On one occasion, two men who had picked up his geological hammer, followed him for a considerable distance till they could overtake him and return his property. If we had not limited our proofs to the testimony to be derived from the work of Mr Hamilton himself, we might select from the narratives of Messrs Fellowes, Ainsworth, and other travellers, many instances of a similar observance of strict honesty. We cannot, however, forbear referring to one passage in Mr Fellowes' work, where he relates, that upon one occasion, having left his baggage exposed while preparing for a tour of exploration, he observed to his guide the danger he incurred of having his property stolen; when the man gave him an answer, which he found correct, that a 'Turk might not steal—his religion forbade it!' That the personal safety of the traveller is assured, we have from Mr Hamilton a full acknowledgment. Haji Mehemet Agha had made him the present of a valuable horse, a gift which it would have been unfriendly to return unaccepted; and yet, in accordance with the manners of the Turks, the gift must be acknowledged by another of equivalent value. A traveller is not overstocked with supernumerary articles, so Mr Hamilton selected 'his only pair of pistols, which, though rather small for a Turk, were very good, and had percussion locks. I added also

‘a patent canister full of English powder, and some copper caps—
 ‘a pretty good proof of the conviction I had gained, that travelling in Asia Minor was, at this period, unattended with any
 ‘personal dangers.’

A pleasing scene is described, of which Mr Hamilton was witness at Harmanjeh, of the intercourse between the common people and the great man, the Agha of the town; yet even then he cannot conclude without a disparaging comment, which is, to say the least of it, unsubstantiated:—

‘During this delay I remained in the Agha’s salamlík, watching the progress of public business, highly interested with the appearance of bold independence and the dignified manner of all around me, as well as with the perfect silence in which the whole was conducted. But what struck me most was the grace and dignity of the peasants who came in to pay taxes, or procure a teskeray, or make some small present to the Agha, who was at the same time their landlord, or, as was the case with some, merely to kiss his hand. This ceremony was performed in a peculiar and impressive manner; the inferior takes the right hand of his master between both his own, bowing low at the same time, after which he slowly strokes his beard with both his hands, whilst the superior merely touches his own with the hand that has been embraced. One man particularly attracted my attention; he was a fine athletic figure, and advanced towards the Agha’s secretary with great dignity as he presented his petition, accompanied with a gift rolled up in paper, containing sugar, coffee, pepper, or some such trifle; then retreating backwards until he reached the centre of the room, he quietly assumed a most dignified attitude, with his right foot a little advanced, whilst both his hands rested upon his broad red sash. Although I understood not a word of the speech which he then delivered, I felt that no Young or Kemble, with their most studied arts, ever came near the natural dignity and carriage of this illiterate peasant. In broad contrast with this man’s appearance was that of a feeble old man, the picture of misery, in rags and tatters, who was sitting on the floor beside him. When he afterwards arose to make his salutation to the Chief, the proud Agha half rose from his seat to receive his welcome, and to spare him the trouble and fatigue of stooping. It was a touching instance of respect for old age; and the whole scene was well calculated to impress upon a stranger a favourable idea, as far at least as externals went, of the manners and feelings of the Turks. I was also much struck with the ease and publicity with which their business was transacted, and their courteous bearing towards each other; but I must confess that, when I afterwards became better acquainted with their motives, and with their corrupt system of government, I learnt to look with more suspicion on their outward manners, and to judge less favourably of their actions and intentions.’

His own reception at that place (Harmanjeh) was graceful, and hospitable, as he acknowledges; though even his acknowledgment evinces before its conclusion the same acid flavour of prejudice.

‘ Here we were most hospitably entertained by the villagers, one of whom brought wood, another carpets, another cushions ; and after some time a profusion of dishes for dinner, consisting of soups, stewed mutton, vegetables, rice, and sherbets, which, when we had satisfied our appetites, afforded a repast to the bystanders. Their hospitality, however, was rather troublesome, for every man in the village seemed to think he had a right to come and stare at us, smoke our tobacco, and crowd our apartment, which they did for several hours with provoking perseverance, although the only conversation carried on was through an interpreter. Yet, notwithstanding their humble rank, their dignified manners would not have disgraced a palace ; this natural ease is one of the most peculiar features of the character of the Turkish peasant. They complained of the new registration then in progress throughout Anatolia by order of the Sultan, and could not understand or approve of his sending round persons to take an inventory of their property, their lands, their wives, and their flocks.’

This last remark is an insinuation of the bigoted ignorance of the inhabitants ; yet their fears were but natural ; being accustomed, from experience, to associate every survey of their numbers or their possessions with the imposition of a tax. Or, granting that there was some dense want of apprehension, we can produce a parallel from the capital of not the least advanced nation of Europe—a city, too, boasting the possession, if we may believe Mrs Trollope, of an aristocratic society of most extraordinary refinement,—composing, in her own phrase, *la crème de la crème*—we mean Vienna. Not many years since, as we are told by Mr Turnbull, the Emperor Joseph endeavoured to introduce the mode of distinguishing houses in the principal streets by numbers, instead of the antiquated mode by painted signs. An *émeute* was the result ;—the populace having taken up the idea that numbers were affixed for the purpose of more conveniently registering and collecting a new house-tax.

Together with their hospitality, their refined courtesy, and an implicit resignation to the decrees of Providence, which we have too hastily confounded with fatalism, the Mahometans of Asia Minor retain no little feeling of national pride ;—a feeling which must descend to, and impress every individual before he can become an active member of any social community. Even the beggars evince the proud sense of dignity derived from their nationality. Passing through the suburbs of Ak Shiher, Mr Hamilton remarks, ‘ the narrow street was thronged with beggars ; but such was their Mahometan pride, that although loud in their cries and entreaties to every Turk, and even to our *‘ suriji*, they would not condescend to ask a single para from *‘ Demetrius or myself.*’

At the close of his work Mr Hamilton thus sums up his accusations :—

‘ They are all ignorant and presumptuous, vain and bigoted, proud without any feeling of honour, and cringing without humility ; they cannot resist the temptation of money, or the prospective benefit of a lie. In their government and administrative duties they are tyrannical and overbearing ; in their religious doctrines dogmatical and intolerant, and in their fiscal measures mercenary and arbitrary. They are as ignorant of their own history as of that of other nations ; and this is the case even with the better educated, who are in most respects far inferior in character, probity, and honour to the peasants and lower classes. Their virtues are those of the savage, who is generous because nature easily supplies his wants, and charitable because of the uncertain tenure by which he holds his fortune. The rich man of to-day may, by the caprice of an erring individual, be a beggar to-morrow ; why then should he hoard his wealth, since he knows not who shall spend it ? As long as a Turk is poor and removed from temptation, he is honest, but no sooner is he appointed to office, or obtains the management of public money, than his uneducated mind is unable to withstand the charm, and he becomes a speculator and a thief ; he appropriates to himself whatever he can lay hands on, and oppresses those below him, while, for the sake of securing his ill-gotten plunder, he propitiates his superiors by bribery and adulation. This has undoubtedly led to that demoralizing practice of the Turkish Government, of selling all places to the highest bidder, allowing him in return to make the most he can out of the unprotected subjects, by extortion and taxation.

‘ The mischievous effects of such measures are but too apparent, and cannot be mistaken by the stranger in this anomalous country. Attempts, it is said, are being made, under the influence of a few enlightened Turks, to reform some of their greatest grievances, and particularly this corrupt practice of buying every place under Government. But success is, I fear, more than doubtful. Every object of change or improvement must be opposed by the bigoted influence of Mahometanism ; and the dread of Christian encroachments will resist all attempts to introduce any rational and practical form of government, which can only be based on education and a higher tone of moral feeling.’

Mr Hamilton, who seems to be a Conservative in England, becomes a Reformer of the most radical description when he crosses the Propontis ; and he accordingly proposes entirely to displace the Mahometans from the soil they usurp :—

‘ Every day’s experience confirmed me in the idea, that it would be preferable for humanity, civilization, and commerce, if the Russians were in possession of this country instead of the Turks. That, however, is of course out of the question : the other European powers could never consent to such aggrandizement on the part of Russia ; but might not other means be devised to get rid of the Turks, whose existence in Europe in the nineteenth century is a disgrace to all Christian nations ?

They should be driven back to their natural boundaries, and the Mahometan territories should be limited to Syria, Arabia, Egypt, Persia, and Tartary.

The Turks, reduced to their native wilds in Tartary, might perhaps recover from the moral degradation in which they are now steeped; and, with a more healthy state of feeling, a way might be prepared for their admission, in the fulness of time, to the pale of Christianity.

After the proposal, so reluctantly withdrawn, to supersede Turkish by Russian domination, we confess that we look with some suspicion at the author's contrast of the two nations, when he saw them almost in contact, at Kars on the frontier:—

‘What a striking contrast this exhibits between the conduct of these two people—the Russians, strong and flourishing, and constantly acting as the aggressors, fortify their frontier line on the left bank of the Arpa Chai, thereby securing every successive conquest—while the Turks, weak and disorganized, helpless against their neighbour, and oppressed by their own rulers, leave the line of their frontier without a guard or a sentry, and their towns dismantled, in ruins, and unprotected by a single soldier or piece of cannon.’

The author often alludes to the evil tendencies of the Turkish system of administration, which leaves the subordinate powers almost without responsibility for their actions, as they have purchased their authority from the Porte. And the result, by giving full scope to the rapacity of the governors, is brought forward as the great cause of the degeneracy of the people; whenever a man becomes rich, he is an object of suspicion and persecution; when a town is, from natural causes, enabled to obtain an influx of trade and wealth, the invariable consequence is, ‘that it is proportionably harassed by its governors, and speedily restored to its state of poverty and ruin.’ Another remark is introduced to show the want of subordination in all departments of authority. ‘It is an universal feature in the successive gradation of powers in Turkey, that more respect and obedience is shown to the orders of an immediate superior than to those of a higher rank; as, for instance, the governor of Ak Serai shows more obedience to the bouyouirdi of the Pasha of Koniye than to the Sultan's firman; while the Agha of Kadj Hissar pays more attention to the letter of the governor of Ak Serai than to the bouyouirdi of the Pasha.’ If Mr Hamilton had visited the villages around the tomb of Haji Bektash, the holy dervish, of whom he makes mention in a preceding page, he would have seen proof that the condition of the inhabitants does not always owe its character to the rapacity of the governors. In that district, the sanctity attached to the tomb of the dervish is allowed to exempt the inhabitants from the payment of every tax, except a trifling sum to serve for keeping the sepulchre in repair. The

consequence is that the population there is idler and poorer than in almost any part of Asia Minor; even the small demands upon their exertions are not supplied, and the tomb itself is in a ruinous condition. The fact appears unquestionably to be, that the energies of the Mahometans are not to be excited, for any continuance, by the mere stimulus of gain. An Englishman is apt to give over as irreclaimable those who cannot be persuaded to take proper advantage of their opportunities for obtaining wealth by the expenditure of labour. It requires a most comprehensive observation, and a full appreciation of the wide differences in intellectual and social life, between race and race, before a just judgment can be passed upon their true position in the scale of humanity.

Mr Fellowes has, we think, formed much more reasonable views of the state of the Turks. In his Preface he thus expresses himself:—‘At the time of my arrival in the country, I was strongly biassed in favour of the Greeks, and equally prejudiced against the Turks; and it will be seen in the course of the narrative, how the unfavourable idea of the Turkish character was gradually removed by a personal intimacy with the people; generally in situations where they were remote from every restraint but those which their religion imposes.’ Consequent upon this generous sympathy with the Mahometan race, is a juster and more hopeful view of their state and prospects. Mr Fellowes remarks the notice that wealth attracts towards its possessors; but his comment upon the fact is, that in Turkey a rich man rarely breaks the law. Frequently he suffered inconveniences—unexampled in Europe—from finding that money would not tempt the inhabitants of a remote village to exert themselves in his service; but he also records with simple grace, that what he could not get for gold was given from kindness.

We are happy to pass on to subjects which enable us to speak with deserved praise of Mr Hamilton’s work. His descriptions of scenery are picturesque and graphic; and he has made them more especially valuable by the geological phenomena, upon the grandest scale, which he portrays. The most magnificent scenes he witnessed, were upon the shores of the Black Sea, which he coasted for a considerable distance when on his way to visit the ruins of Anni, the Mithridatic capital of Pontus. The journey to Trebizond was performed in a steamer, being the second time that passage had been made by steam. Since then, we believe, a packet has been established to ply regularly between that port and Constantinople.

At Trebizond, Mr Hamilton found the same kind of poisonous

honey from which the soldiers of Xenophon suffered. The flower whence is derived the deleterious quality, is a species of *Azatea* that grows in large quantities upon the declivities of the mountains around Trebizond; and probably both bees and flowers are the lineal descendants of those that flourished at the date of the *Anabasis*.

The Euxine owes its modern title of Black Sea to the dense fogs that hang over its surface. Mr Hamilton explains the cause as arising from the high mountain-ranges that circle the coast, and confine the vapours as in a basin, causing them to expand over the water. This is the reason why the Euxine is always so full of water, and keeps a perpetual current flowing downwards through the Dardanelles into the Mediterranean. A corroboration of this hypothesis is derived from the circumstance, that though the mountains are so near the coast that all the rivers which flow northwards, and empty themselves into the Euxine, are necessarily of very short course, yet the quantity of water they bring down, is in all of them unusually great.

Several migratory tribes are found scattered about different parts of Asia Minor, of whom we should have wished to learn more particulars. Though wandering, they do not appear to be predatory in their habits, according to the general tendency of a roving life. A few exceptions were found among the Kurds, who occasionally turn marauders. A brief enumeration of the nomadic tribes is given in Mr Hamilton's account of the different classes of inhabitants in Asia Minor:—

‘ There are four distinct classes who live in the country, and who are to be distinguished from one another. 1. The common Turkish peasant. 2. The Turcoman. 3. The Eruque. 4. The Kurd.

‘ 1. The Turkish peasants, who dwell in villages and cultivate the ground, are the real agricultural labourers of the country; they generally possess small gardens, and are called *yerti*, (from *yere*, earth.) They always have fixed habitations, although many of them, during the summer months, retire to the mountains, or other cool places in the neighbourhood, which are called *Yailais*; but even then they live in houses and not in tents.

‘ 2. The Turcomans have also their villages, in which they reside during the winter months, but seldom, if ever, cultivate the ground or raise corn. They live on the produce of their flocks and herds, and sometimes breed camels. They always live in tents during the summer, in some extensive plain near their villages, for the sake of their flocks and herds, and do not go to the mountains in search of a cooler air. They are, I suspect, the parent stock of the Turks, but have longer pursued their wandering nomadic habits; they are seldom met with except in the neighbourhood of great plains, which afford pasture for their flocks and herds.

' 3. The Euruques have no villages; like the Kurds, in this respect they are a truly nomadic race. They live on the produce of their flocks and herds, but generally in mountainous and wooded districts. They breed camels, and one of their principal occupations is burning charcoal. They live in tents made of black goats' hair, like the Kurds, and not in the round bell-shaped tents of the Turcomans, which are made of slender twigs, forming a kind of wickerwork covered over with carpets or thick felt. They are said to speak the same language as the Turks.

' 4. The Kurds are quite a different race of people, and speak a different language; they have their own chiefs and leaders, and lead a thoroughly independent life. They likewise have no villages, and cultivate no land, but breed horses and keep large flocks. They invariably move into different districts according to the season, having their summer and winter stations. * * * They are the most turbulent and least reconciled to the authority of a regular government of all the tribes in Asia Minor, but have become more orderly since the successes of Reschid Mahomed Pasha in Kurdistan.'

We cannot take leave of these interesting works, without expressing our satisfaction at learning that Mr Fellowes is about again to visit Asia Minor; and that he will depart better provided than heretofore, both for pursuing the requisite investigations, and for the amicable removal of any specimens of ancient art that he may discover. The duty could not be assigned to any one more indefatigable in prosecuting researches among treasures whose extent is as yet unknown.

ART. VI.—*The Naturalist's Library*. Conducted by Sir WILLIAM JARDINE, Bart. (Vol. 34. Part 3. *Comprising the Itasores and Grallatores of the Birds of Britain and Ireland*, By the EDITOR.) Post 8vo. Edinburgh: 1842.

IT would be difficult to mention a frame of mind which is at once more desirable in itself, and more beneficial in its consequences, than that which habitually seeks for gratification in the survey and contemplation of the works of nature. Few will be found more lastingly calculated to soothe irritation of temper—to elevate the noblest feelings—and to maintain through life a cheerful and contented disposition; and few pursuits are more thoroughly within the reach of all ranks and conditions of society, and all kinds and degrees of intellect. While men of the most powerful faculties and the most extensive attainments may, for the period of the longest life, employ all of them in the study of nature, and still find the subject unexhausted and enchanting,

the individual of acquirements the most limited, and opportunities for observation the most unfavourable, may, from the same source, experience daily an amount of rational pleasure, which it would be in vain to look for, at the same easy and agreeable rate, from almost any other employment of his mind.

But however rational and enduring may be these pleasures, it is only of late years that a taste for almost any of the branches of Natural History became prevalent throughout Britain and Ireland. When we look back some thirty or forty years, and contemplate the position then occupied by this country in as far as regarded that branch of science, we cannot but be struck with surprise at the truly barren prospect which it presented. There was no periodical publication expressly devoted to the illustration of any one of the Kingdoms of nature; nor was there, in fact, any number of individuals whose contributions would have been sufficiently valuable and interesting to support such a publication. And when any publication, in professed elucidation of the works of nature did make its appearance, at a dreary interval from its predecessor, its merits were, generally speaking, of a very inferior character, and its illustrations meagre—ill executed as works of art, and in point of scientific precision altogether unsatisfactory. Let any one who is in doubt on the subject examine, both in respect to text and illustrations, the works of Edwards, Shaw, and even of Pennant, who are usually regarded as the chief ornaments of this backward period.

Great is the change which has taken place in Britain within the course of the last twenty-five years! During this period the study of Natural History has, in all its branches, advanced with rapid steps. Some time previous to this, indeed, an impulse in this direction had been communicated by the exquisite productions of Bewick. These, although unpretending in their nature, and intended principally for the young, nevertheless enjoyed general and unusual favour. They are likely still to continue to do so. For although, in more recent publications of a similar character, the mechanical execution of the cuts, as was naturally to be expected from the progress of the art, is undoubtedly much more delicate and beautiful, the spirit, the life, the expression, the *motion* almost, by which, in particular, the *ornithological* portraits of the great restorer of cutting in wood are distinguished, have never yet been approached by any other artist. A beginning so worthy has been followed up, in numerous quarters, with increasing spirit and success; and of the many splendid and accurate delineations of natural objects which have recently appeared in Britain, few of our readers, who are interested in such matters, can require to be informed. The magnificent illustrations,

for example, of British Ornithology by Mr Selby, and the subsequent illustrations of general Ornithology by the same distinguished naturalist, in conjunction with Sir William Jardine, reflect the highest credit on their talents and perseverance. The efforts, indeed, which have been made, and which are still making, by these gentlemen in behalf of every branch of natural science, are worthy of all commendation. They not only excel as naturalists and as draughtsmen, but they have very often also been themselves the etchers of their own plates. In the character of artists, we are not, however, of opinion that their merits are on a footing of equality. The productions of Sir William Jardine are undoubtedly beautiful, and executed, on the whole, with delicacy and care; but we cannot help regarding his figures as occasionally constrained in the attitude, and destitute of that graceful freedom and vigour of execution by which both the pencil and the graver of the Ornithologist of Northumberland are distinguished. Nothing can be finer than the manner in which the plumage of his birds, especially of those where it is of a mottled or downy description, is, in his happier efforts, exemplified; and also the trees, the trailing plants, and the herbage, amid which his ornithological portraits are so frequently placed.* All who have taste for these subjects, must be aware of the excellence of Mr Wilson's *Illustrations of the Animal Kingdom*, derived principally from the specimens in the rich Museum of the University of this city. In accuracy and faithfulness of detail, it would be difficult to surpass this accomplished draughtsman and most agreeable writer. It would be great injustice not to allude, at least, to the diversified labours of Mr Swainson. His *Zoological Illustrations*, and especially his *Illustrations of the Northern Zoology of America*, are well known, and must always be admired by all for whom a representation of nature, soft in the touch, chaste in the colouring, and lifelike in the look and attitude, shall continue to possess attractions.

Some other departments to which we have not so particularly adverted, have also met with delineators and admirers. Hewitson's *Illustrations of British Oology*, is a work not only complete in itself, but finished with great accuracy and beauty. The author, in his enthusiasm for the works of nature, and his anxiety

* The only deduction which we would feel inclined to make from the warmest praises that could be bestowed on the etchings of Mr Selby would be, that, not unfrequently, the outline of his birds has an unpleasantly angular and abrupt appearance, and is destitute of that rounded and flowing grace by which the originals are distinguished in nature.

to gratify the wishes of his subscribers, did not hesitate, during the progress of his undertaking, to make various fatiguing expeditions in search of rarities, to be drawn and figured. He traversed the whole of the Shetland Isles; and explored the almost innumerable islets by which the Norwegian coast is studded, till he had advanced within the Arctic circle; besides examining, at the same time, a considerable portion of the mainland. His work, in consequence, not only contains numerous eggs which had never been previously figured, but is particularly rich in original and graphic accounts of the birds themselves, and of the peculiar habits by which they are distinguished. In a pictorial point of view, its merits we should imagine almost defy competition. Previously to its appearance, it was the opinion of Mr Yarrel*—a great authority in these matters—that the best work on the eggs of birds was that of Naumann and Buble, published, in five parts, at Halle in Germany. Let any one compare with this work the *Oology* of Mr Hewitson, and he will not fail to perceive the superior merits of our countryman.

In speaking of publications intended to illustrate particular branches of natural science, Sir W. Jardine's *Illustrations of the British Salmonidæ* deserve particular notice. Of this magnificent and minutely accurate publication we have only seen the first two *fasciculi*; but we understand that there is a reasonable prospect of the work being continued, and brought to a conclusion. It would be difficult to over-estimate the beauty and fidelity of its engraving and colouring. In consequence of the size of the plates on which the various species are represented, and the scrupulous accuracy with which all their parts are individually rendered, the engravings may almost be said to be to the naturalist of equal interest and value, as if the living specimens themselves, shining in all the brilliancy and distinctness of nature, were placed before him. Nor is the subject one merely of scientific curiosity, or calculated only to furnish gratification to pictorial taste. A proper knowledge of the various species of our native *Salmonidæ*—our information regarding which has been hitherto confused, contradictory, and unsatisfactory—ought, doubtless, to be regarded as of very material consequence in a commercial, and therefore national, point of view. The unravelling of the numerous synonyms which have been attached to this highly-interesting tribe of fishes—the establishment, upon carefully considered grounds, of the different species of which the tribe is composed—and the knowledge, from personal observation and experiment, of their habits and

* *London's Mag. of Nat. Hist.* Vol. ii. p. 205.

economy—has, it is understood, been long a favourite pursuit with the author. He has, it is known, spared neither pains nor expense in collecting materials, and it would be much to be regretted if he should not be encouraged to complete his design.

Our limits will not allow us, at present, to touch, even in the foregoing slight fashion, upon many other publications in Natural History, with which the press may, at the present moment, be said to teem;* and we hasten to observe, that we believe none of them is more popular or influential in diffusing a taste for the science, than the publication which has led to the preceding observations. *The Naturalist's Library* appears in the shape of a handsome post octavo volume, once every two or three months. Each volume, at an average, contains fully more than 250 pages of well printed text, together with about thirty-two engravings on steel, drawn and coloured, in most cases, from nature. Many of the volumes are from the pens of the most eminent naturalists of the day; in proof of which it is only necessary to mention the names of Selby, Swainson, M^cGillivray, Duncan, Hamilton, Smith, and others. The accurate pencils of Swainson, Lear, Dicks, Stewart, Westwood, Smith, &c., have been successfully employed upon the illustrations. Its success with the public has been unusually great. Of some of the more popular volumes, we are informed that upwards of eleven thousand copies have been sold.

The work embraces the four great departments of Mammalia, Ornithology, Entomology, and Ichthyology. In the first, there have already appeared twelve volumes; in the second, twelve; in the third, seven; and in the fourth, three. The series is to close at the fortieth volume. These volumes appear to

* We have not, for example, bestowed any notice on the *Illustrations of American Ornithology* by Audubon. To have done so, however, would have appeared to be altogether unnecessary. It is long since Cuvier himself characterized the drawings of Audubon as the most splendid monument which art had yet erected in honour of Ornithology. His volumes of *Ornithological Biography* have been regarded as rivalling, in originality of observation, and vividness of expression, the admired descriptions of Wilson; and so widely have his merits been appreciated, that there is now almost no one in this country to whom his name has not, in some measure, become known. We should, also, have been glad to have dwelt on the ornithological publications of Mr Gould—an author whose works, especially in a pictorial point of view, are considered by many as placing him at the very head of those who have employed themselves in that delightful department of natural science to which his attention has, we believe, been exclusively directed.

us to have, almost always,* hit the happy medium between a rigorously scientific and a merely popular method. Those who are but entering on the study of natural science may read them with pleasure, and without any laborious exertion; while even those who have made the greatest advances in the knowledge of nature, and penetrated furthest into the recesses of her majestic temple, would have no excuse for turning away from them with any thing approaching to indifference. Their style is almost uniformly clear and correct; and, on proper occasions, rises into the eloquence and the warmth befitting the inspiring nature of the subject.

If an exception must be made to the above commendation, we are compelled to name the Editor as the transgressor. And it is because we consider this circumstance as a blot on the general merits of the work, which a little circumspection might very easily prevent, that we are not displeased that the volume now before us, one of the last which has issued from the press, has proceeded from his pen; as it gives us an opportunity of proving the truth of the charge we have made. Of his merits generally we do not suppose that many of our readers require to be told: his acquirements as a naturalist have indeed been long recognised. It is, however, as an Ornithologist that he is best known. It was in this character, if we mistake not, that he first made his appearance before the public; and in it he appears to be generally regarded as an authority. He is evidently a close and patient observer of nature.

* The only volume which can be justly regarded as an exception to this remark, and as misplaced in such a publication, is the tenth, on *the natural arrangement and relations of the family of fly-catchers*. Our readers are probably aware that the ingenious and learned author (Mr Swainson) is a strenuous advocate for what in Natural History is termed the *quinary system*; or, in other words, that he confidently asserts that all the productions of nature will be found to resolve themselves into circles consisting of five groups each; that proximate circles or larger groups are connected by the intervention of lesser groups; that each class in any one of these groups is a representative of a corresponding class in some other group; and, in a word, that the whole animal kingdom is arranged in circular affinities! With the enforcement of this theory, and the working out of its details—in as far as the *fly-catchers* form one of its constituent parts—the whole volume is occupied. Now, it is well known that naturalists are exceedingly divided in opinion regarding this quinary system—some extolling it as a discovery of first-rate importance; others maintaining that it is a tissue of absurdity, and a most presumptuous attempt to subject the infinite variety of the works of nature to a few arbitrary and futile assumptions.

While laudably attentive to anatomical structure, he seems to delight in detecting and pointing out those often minute links by which nature passes from one class of animated beings to another; and he is, at the same time, equally anxious to describe the habits of the animals which occupy his attention, and to show the admirable concord between structure and habits. He is no closet compiler—no mere copyist of the writings and the observations of others. The freshness and the originality of his observations on birds, and the many interesting facts in connexion with their habits which his writings contain, are obviously the fruit of his own immediate and habitual observation. Those to whom his writings are known, will be inclined, we should think, to agree with us in what we have remarked as to their solidity and value. And it is because we, in general, consider his *matter* to be so original and so good, that we regret the *language* in which that matter is too frequently submitted to the eye of the public. His style is destitute, in a remarkable degree, of precision and clearness; and, on numerous occasions, unaccountably deficient even in grammatical accuracy. The volume now under our consideration makes no exception to the remarks we have applied to his writings generally.

The task is irksome and ungracious; but we feel it to be a duty to make good our censure. In p. 64, for example, it is said of the stock-dove—‘its manners in other respects somewhat resemble the last, mixing occasionally with it.’ Here the word *mixing* must be considered as agreeing with *manners*, and the result is sheer nonsense. In what grammatical compendium shall we find an authority for the construction that follows? ‘We have once or twice received the young birds ‘from the south, but *was* never successful,’ (p. 72.) It is said of the bittern, that it is in the evening that that peculiar booming noise is uttered, ‘to which *has* been attached various ‘superstitions and also singular conjectures,’ (p. 145.) Of the family of the *Tetraonide* the author observes—‘the birds belonging to it in general pair and remain in parties, *the number of ‘the broods from season to season*; but some species are polygamous, and run into this great characteristic of the Rasorial group,’ (p. 76.) The *characteristic* here mentioned is unquestionably *polygamy*, and it therefore follows that the meaning in other words is, ‘some species are *polygamous* and run into *polygamy*.’ To the words in italics we profess our inability to attach such a meaning as will be productive of sense. ‘The capercaillie,’ it is said, ‘was certainly the noblest of the British feathered game; ‘but the attributes of size, strength, and beauty, have proved his ‘destruction, and it has been for many years extinct,’ (p. 79.)

As a general remark, we may here mention that Sir W. is exceedingly despotic in respect to the personal pronouns. What at one moment is masculine, the next become neuter; and what in one line is singular, may, in the one immediately succeeding, appear as plural. Thus, in the words last quoted, the pronouns *his* and *it* are, in the course of a few words, both applied to the capercailzie. Still speaking of this noble bird—the author (p. 80) says, ‘in *its* habits in a wild state, all our accounts agree in stating their close alliance to those of the black-cock. *They* frequent forests,’ (p. 80.) Whether the pronouns *their* and *they* refer to the *bird*, or to its *habits*, seems rather puzzling. The author enters into a brief discussion (p. 82) whether or not the *Tetrao medius* is a hybrid between the capercailzie and black-cock, or a distinct and well-marked species, constituting an interesting link in the chain of nature’s affinities. His arguments are, in our opinion, ingenious, and would almost appear to be conclusive as to the *Tetrao medius* being a separate species. Here, however, as in many other parts of the volume, although the matter is apparently good, the language is exceedingly defective in precision and accuracy. ‘The continental ornithologists generally, we believe, adopted the theory of hybridity, and it has been assented to, or at least not contradicted, by those of this country. One residing at a distance from their haunts cannot be expected to go narrowly into the question.’ Although we are easily able to see what the author intended to say, it is nevertheless strictly true, that by all the known rules of speech the *haunts* spoken of must be regarded as the haunts of the ornithologists. Take, also, as a rare specimen of the qualities upon which we have been commenting, the singularly lucid and euphonious sentence which follows:—‘The similarity of the specimens we, however, consider now as the strongest fact against the hybrid theory; and even if a differently marked specimen should occur—and they can bear no proportion to the resembling ones—we should consider it much more probable to be a cross between the presently considered hybrid and the capercailzie,’ (p. 83.) It is obvious that *now* is meant to supply the place of some such expression as, *in the present state of our knowledge*. With what word, moreover, does the pronoun *they* agree? *Whom* or *what* do the resembling ones resemble? *It* refers to a differently marked specimen, with what does *more probable* agree? Instead of the expression *at present*, we have, too, the Scotticism *presently*, which, on the slightest examination, will always be found to refer to a *future time*. The most astounding fact, however, connected with the capercailzie, remains to be mentioned. We are gravely assured (p. 83) ‘that a fine male specimen of the

'capercaillie will sit fully two feet above the branch on which he 'is perched.' *Perched*, we take it for granted, will be allowed to be here synonymous with *seated*; so that the information communicated in the above sentence regarding this splendid bird is neither more nor less than this, that he will sit two feet above the branch on which he is sitting! In page 124, the heron is spoken of as exchanging *habits* for a *forest*; and after mentioning—in a sentence, the members of which have as usual an exceedingly doubtful relation to each other—that the bird in question generally makes choice, in the breeding season, of a locality where there is a thoroughfare, the author goes on to say, 'we, at the same time, know of a few breeding stations in most retired places, a wild and retired glen, or the 'solitary islet in some Highland loch,' &c. Interpreted according to the usual rules, these words must mean, that in most of the retired places throughout the country there are a few breeding stations—whereas it is easy to see that the writer intended to say, in *very* retired places or in *the most* retired places. In page 132, the words 'our next beautiful division of the 'herons is that of the egrets,' ought evidently to be 'our next 'division of the herons is the beautiful one of the egrets.' What the exact meaning of our author actually is, when he tells us, (p. 132,) that 'the plumage of the egret is generally pure 'white, and always pale at one period, either in the complete 'or incomplete plumage,' we acknowledge ourselves unable to discover. Let any one unravel to us the mysteries of the following sentence, and we will not call him *Davus*:—'The present 'bird is confined to the old world; but how far restricted, or 'whether the other white egrets, from almost all parts of the old 'hemisphere, of a similar size, are all identical, perhaps still 'requires a more strict investigation,' (p. 133.) Does this mean that the other white egrets are all identical with each other? or that they are all identical with the present bird? If, moreover, they are all identical with the present bird, how can they be other egrets? Still speaking of egrets, it is observed, (p. 134,) that 'during the last winter (1840-41) there have 'been several instances of white herons being seen and killed, 'both in England and Scotland, which, it is little doubt, were 'egrets of one species or another, but the difficulty of tracing 'them is great. These notices appeared chiefly in the news-papers, and, from the peculiar colour and appearance of the 'bird, they were sure to draw attention.' When our author here speaks of *these notices*, to what notices does he refer? In as far as we have been able to perceive, he had previously made mention of none. What is it, moreover, that was sure to draw attention?

According to the ordinary rules of speech, it should be either the *notices* or the *newspapers*; and yet we dare swear that the writer himself is referring to the *white herons*. In the same page it is said, 'in Scotland we are not aware that it (the egret) has ever been taken.' Surely the use in this sense of the verb *to take*, is a vulgarism; and yet we have, of late, observed that it is becoming a favourite expression with not a few other naturalists. It is said, (in p. 137,) that 'the attendance on cattle is a curious habit in some of the egrets, without doubt, on account of the insects that abound near them.' This is a choice specimen of the style of composition on which we are animadverting. Taking the words according to the usual rules of construction and of punctuation, the sense might very naturally be rendered as follows:—'The attendance on cattle in some of the egrets is a habit curious, without doubt, on account of the insects that abound near them;' whereas, it is on account of the insects, and on their account alone, that the habit is *not* curious. Speaking of the nest of the woodcock being found in this country, it is observed—'The great attention that has been paid to British ornithology for thirty years past, has made known many instances of breeding; for we do not see any changes in the country that could have, at a later period, increased their frequency,' (p. 171.) Can it be said that this is any thing but nonsense? What is the meaning, in particular, of the expression *at a later period*? Still speaking of the nest of the woodcock, the author, (in p. 172,) says, 'scattered instances have been noted of nests being found in other districts of England; but all these can merely be looked upon as cases on the very limit of their breeding range, and not at all similar to birds,' &c.—*i. e.*, *instances of a nest being found* are not at all similar to *birds*! Immediately after the author says—'like a great proportion of the aquatic birds, a dry spot is selected for the nest.' Not many, we presume, will be disposed to agree with the author, that *a dry spot is like a great proportion of the aquatic birds*!

We might continue our criticisms to an indefinite extent—or, to speak more accurately—the only limits to their extent would be those of the book itself; for it is almost impossible to look into any of its pages without meeting with examples of that unusually ambiguous, involved, and ungrammatical mode of expression, which we cannot help regarding as a serious blemish in an important work, and which we have, therefore, considered it our duty to expose with some minuteness and severity.

Before concluding, we must notice the Illustrations with which the present volume is accompanied. They are thirty-four in

number, and, with two exceptions, are engraved from the designs of Mr Stewart—an artist whose pencil has been employed on various volumes of the *Naturalist's Library*; but of whose merits we cannot think so highly as of those of some others by whom the work has been illustrated. There appears, not unfrequently, an unnatural violence in the attitudes of the animals he has depicted; and we cannot divest ourselves of the idea that, in his anxiety to avoid that deathlike insipidity and monotonous stiffness by which the representation of natural objects is so often disfigured, he has sometimes been induced to run into the opposite extreme; and has thus overstepped the modesty of nature. This remark we would particularly apply to his illustrations of the three volumes on the 'Birds of Britain,' by the Editor. If the engravings of these illustrations are coloured in faithful imitation of the original drawings, we should certainly feel inclined to say that the colouring is, generally speaking; by far too strong and vivid; that the manner in which one tint is shaded into another is often harsh; and that, in some of the subjects, the effect produced can scarcely be regarded as a resemblance of the original. Will any one who is acquainted with the subject say that the figure given in Plate XVII., as a specimen of the *purre* or *dustin* in its winter plumage, is a correct likeness of the bird as it exists in nature? or would any individual, on seeing the figure presented by itself, be able to name the bird which it is intended to represent? The *woodcock*, Plate XI., is also a signal failure, both as respects the colouring and the drawing. That it would be unreasonable to expect that, in a cheap publication like the present, the beautiful mottling and harmonious tinting of Nature's pencil, as exhibited in the bird in question, should be faithfully and minutely copied in the engraving, we are ready to allow; although we should have certainly expected to find the plumage more faithfully rendered than it is in the plate in question. Be this, however, as it may, the same indulgence ought not to be extended to the drawing; and we have no hesitation in saying that the representation of the bill, particularly at its tip, is by no means true to nature; and that, moreover, the square-like shape of the head and the position of the eye—peculiarities by which the *woodcock* is remarkably distinguished—are almost completely lost sight of in the drawing. In as far as our own taste is concerned, we cannot help thinking that the apparently simple, but, in reality, artful and exquisite cut of Bewick, is the only real portrait of the *woodcock* which we have happened to see. The colouring of Plate XXV., on which is depicted the *lapwing*, is surely far stronger and more glaring than is warranted

by nature; and the same remark is applicable to the figure of the *jack-snipe* on Plate XII., and, indeed, to not a few of the others. The neck of the *corn-craik*, as represented on Plate XXIX., we cannot but consider as out of all proportion large and tumid; and so likewise, in a still more remarkable and almost ludicrous degree, is that of the common *thick-knee*, on Plate XXIV. On not a few of the plates, also, the lines have a wiry appearance, and fail in conveying to the eye that softness and delicacy by which the plumage of birds is in nature so beautifully distinguished. Judging of the whole edition from the volume before us, we should say that, in many of the plates, the colours have been laid on with a hasty and slovenly hand. Hence the frequency of those blotches which at one time transgress the prescribed limits of the outline, and at another, as if by way of compensation, leave certain portions within it without any colouring at all. Than this, nothing can be more offensive to the eye of taste; nor can any thing more readily induce the belief that the object depicted is presented in an unnatural and unfaithful dress.

It would be no answer to tell us, that we are unreasonably looking for a degree of accuracy and of polish which it is at once unjust and ludicrous to expect in a volume which is sold for six shillings, and which contains three hundred and fifty pages of text, and thirty-four coloured illustrations. The principal merit claimed for these illustrations is their accuracy, and their faithful resemblance to their prototypes in nature; and that they are not intended to please the eye and to gratify the taste as mere pictures, but have the higher object in view of assisting the student in his researches in Natural History. If, therefore, the illustrations could not be faithfully given at the price for which the volumes are sold, their number ought to have been reduced: because it is plain that, in as far as Natural History is concerned, a single engraving, which is an accurate representation both as to drawing and colouring of the object intended to be represented, is worth an unlimited number of those tawdry figures, with respect to which we feel, as it were instinctively, that no such objects, either as to form or hue, are likely to be met with in nature. Besides, in some of the former volumes we have seen exhibited, for the same price, the most pleasing representations of nature, both as regards colouring and drawing. This is particularly the case in the volumes on *Parrots* and *Pigeons*, and in some of the others, where the drawing is at once animated and natural, the engraving delicate, and the colouring carefully laid on.

As we regard this work as in some respects of a national

character, and, at all events, as a remarkable proof of the taste of the present age, and of its relish for intellectual food of an improving and elevating character, we think we shall have performed good service, if, by any strictures which we have felt it our duty to make, we shall induce a greater degree of attention, for the time to come, to defects which it requires but very little pains to avoid; and the absence of which would, undoubtedly, render the work still more worthy of the continued regard of its readers.

ART. VII.—*Father Oswald; a Genuine Catholic Story.* 8vo.
London: 1843.

IT was anciently usual, when opinions differed upon any point of importance, to discuss the question according to the forms of logic—each party stating his own argument, and refuting that of his opponent with all the dexterity in his power. But this custom, however rational in itself, has proved so inconvenient to many controversial writers, that it is now very sparingly resorted to. It has been found that unskilful combatants in these intellectual conflicts cannot always escape serious injury to their vanity and their reputation; and therefore a new mode of discussion has been adopted, in which victory, if not quite so honourable, is far more secure. The challenger now excludes the party assailed from all share in the dispute. He takes both sides of the argument under his own management, and arranges the attack, defence, and victory, with the secure precision of a general directing a mock fight at a review. Political and theological controversies are now decided by fictitious narrations, in which the various characters discuss the question, and the conversion of the hero or heroine to the author's own opinion forms the catastrophe. We have abandoned the ancient judicial combat, in which arms and horses, sun and wind, were divided with scrupulous impartiality; and we have begun to imitate the adroit duellists of Brantôme, who not only exerted their own skill to the utmost, but took care to supply their antagonists with unserviceable weapons.

We have selected the Novel* before us as the occasion,

* The number of Novels of a far different, and far more eligible description, daily issued from the Press—two or three sometimes appearing

rather than the principal subject, of a few observations upon this point, for these reasons: It is the latest controversial novel with which we have happened to meet; it combines in itself many of the most unpleasing peculiarities of its class; and it proposes to decide a question of the utmost importance—the authority of the Church of Rome as opposed to the doctrines of the Reformation, and the Right of Private Judgment.

We need scarcely stop to point out to our readers how useless in all respects, and how much worse than useless in many, such a work, upon such a subject, must always be. It is obviously impossible to make it at once conclusive and impartial. The author's grand object is of course to give a decisive victory to his own side of the question. But he cannot be sure of doing this to the satisfaction of his readers, if he argues as real Protestants would argue with real Catholics. If he conducts the dispute by fairly matching the arguments of Luther and Chillingworth against those of Erasmus and Bossuet, he will have their comparative force as undivided in fiction as in reality. He must therefore either run the risk of making converts the wrong way, or betray, by a pious fraud, the cause which he thinks in error. However skilfully his artifice is performed, it can seldom escape detection. The simplest reader, when he observes that the writer never allows an attack which he cannot parry, and never notices an objection which he cannot solve, will ask himself whether questions, upon which the wisest men have differed for centuries, could, if they were fairly stated, be unanswerably solved by an indifferent novel. The more skilful critic will at once contrast the feeble sophisms of the mock disputant, set up merely to be

in one day—makes it impossible for any Quarterly Journal to overtake even those that rise greatly above mediocrity. It is with some regret, certainly, that we have felt ourselves obliged to omit all notice of such publications as 'The Last of the Barons,'—a work of great power and brilliancy; the charming tales of Swedish life by Frederika Bremer, lately translated; 'Widows and Widowers,' the *chef-d'œuvre*, in fictitious narrative, of its highly respectable authoress; and the 'Adventures of Susan Hopley,'—published previously to the other works just named, but now again brought under our observation by its reappearance in the unusual form of weekly Numbers. With some blemishes, it has merits altogether peculiar, and well fitted to recommend it to readers of all classes, were it not for an impression which has somehow arisen that it is addressed chiefly, if not solely, to maid-servants—than which no supposition can be more wide of the fact, or more likely to circumscribe the attraction, and limit the utility, of what we feel it to be a duty to pronounce a highly meritorious and widely-interesting story.

defeated, with the forcible reasoning of those advocates who have elsewhere espoused the same cause in truth and sincerity. Those who already agree with the work will not be benefited by it. Those who think otherwise, will throw it aside with the incredulous contempt of a Frenchman witnessing a puppet-show of the battle of Waterloo; or of an Englishman reading, in Mr Fenimore Cooper's Romances, the defeat of the British regiments by Captain Lawton, and the capture of British cruisers by Tom Coffin.

Where the deception is successful, the case is much worse. It is certainly possible, by artful misrepresentation, to persuade an ignorant Catholic that all Protestants are sceptics, or an ignorant Protestant that all Catholics are idolaters; but it is impossible to prevent such an opinion from being dispelled by correct information on the subject; and thus a delusion, which certainly will not promote Christian charity while it lasts, may bring on a dangerous reaction when it is removed. Intolerance is no security whatever for consistency. The poise of the mind, like that of the body, is safest when it stands upright—not when it exerts its force in one particular direction. And we see by experience that no man is in general so ready to abandon the substance of his opinions, as the bigot who has become ashamed of their superfluous bitterness.

Some of our readers may recollect that a little tale, entitled "*Father Clement, a Roman Catholic story*," was published about twenty years ago. Though intended to present a contrast between the Roman Catholic and Calvinistic creeds, to the decided advantage of the latter, it was preserved, by the good taste of its author, from many of the worst faults common in controversial novels. But in spite of this, and in spite of much that is both striking and pleasing in the fictitious part of the story, it is a work whose spirit, we think, no liberal-minded Protestant can approve. The author, though not expressly denying the possible existence of a truly religious Roman Catholic, has taken care to represent every member of that Church but one, in whom the reader takes any interest, as a knave, a fool, or a Protestant convert. The single exception is the character of an interesting Jesuit, who, after a life of religious doubt and distress, is worn out by mental suffering and corporeal austerities, and dies in peace, unconsciously abandoning, though not openly abjuring, the opinions of his church. A sincere Catholic must strongly resent the injustice of such a picture of his creed; but this is the very reason why, if he were a man of sense and feeling, he would scorn to retaliate by a similar attack upon Protestantism. '*Father Oswald*' is intended as '*an antidote to the baneful production of "Father Clement."*' It is the history of an English Protestant

whose wife has become a convert to the Church of Rome. The husband, after treating the unfortunate proselyte with the most inhuman harshness, goes to the Continent to escape from her society. At every stage of his tour he is silenced by the reasoning, or edified by the piety, of saintly priests, simple peasants, and blue-eyed sisters of charity. He receives a severe wound during the Revolution of 1830—which is represented as the causeless persecution of a pious Catholic by fanatical Deists—and is shocked by the neglect of all his liberal friends. At length, after resisting proofs of Catholic virtue and Protestant depravity which might have converted John Knox himself, he visits Italy, when his apparently insane incredulity is finally dispelled by witnessing the miracle of the blood of St Januarius.

The spirit of the work is as uncharitable as its plan is unskilful. The author of 'Father Clement,' though frequently displaying the gloomy prejudices sometimes attributed to extreme Calvinism, has at least the sense to refrain from coarse abuse and pointless ridicule. But the present writer, though in his dedication he expresses great anxiety for the welfare of the 'many noble and 'generous individuals in the British isles' who have the misfortune to be Protestants, is perfectly unable to keep his hatred of those whom he courteously styles 'madcap biblicals' within decent bounds. It is not too much to say, that he does not appear to believe in the existence of a virtuous or rational Protestant. His hero, whom he represents as a strict and exemplary member of the Church of England, is a domestic tyrant, a political Jacobin, and, until he becomes a Roman Catholic, little better than a religious infidel. But it is upon the clergy of the Established Church that the full measure of the author's insolence is poured forth. He introduces the characters of several, and never without doing his utmost to ridicule and degrade them. They are all depicted in the coarsest strain of dull malignity—as ignorant, indolent, corpulent priests, encumbered with tawdry wives and innumerable children, and devoted to the sports of the field and the pleasures of the table. The Catholic divines, on the other hand, are all upon the model of Sterne's sentimental Friar, and are endowed with every imposing quality of mind and body which the author's imagination can furnish. We shall not allow such absurd misrepresentations to lead us into a discussion of the general character borne by the Protestant and Catholic clergy; but we must say that charges of pride, luxury, and ambition, come but ungracefully from the advocates of a Church which placed Wolsey and Dubois among its Cardinals, and still retains Dunstan and Becket among its Saints.

After this, we need scarcely describe the plan on which the controversial part of the work is carried on. A man who will not believe that Protestants can be decent members of society, is not likely to represent them as rational Christians. Accordingly, we find that the author of 'Father Oswald' has carefully abstained from placing in the mouth of any of his Protestant characters a single sentence bearing even the semblance of an argument. Vague assertion and angry abuse are the sole weapons allowed to these devoted champions; and they are seldom permitted to employ even these, without being interrupted by the facetious remarks of the writer upon the absurdity of their manners and gestures. It is impossible to witness the author's complaisant triumph over the discomfiture of the senseless puppets whom he has conjured up, without being reminded of the duellist in the 'Tatler,' who practises the art of fence by making passes at figures chalked upon the wall, and boasts that he seldom fails to hit them in a mortal part.

'Father Oswald' caricatures the unfairness which may generally be detected in controversial tales. In a fictitious dispute upon such a controversy as that between the Catholic and Reformed Churches, a decisive victory is at best a suspicious event. But a rapid, easy, unresisted victory, is too much for the credulity of the most careless reader. Surely, he will reflect, there must be *some* plausible arguments for a creed which satisfied Newton and Locke. Surely there must be *some* excuse for doubts which did not shock Hooker or Tillotson. These eminent men may have been mistaken; but they must have had something to say in their defence. The triumph of 'Father Oswald' resembles that of the English at Agincourt, or of the Americans at New Orleans—it loses its chief glory by the very ease and impunity with which it is achieved. Every one knows that no victory worth having is gained without hard fighting and severe loss; and therefore, when the conquerors are found to have sustained no injury at all, it is impossible to believe that the vanquished have had fair play.

The author of 'Father Clement' does not escape. We have said that we cannot consider the plan of that work as at all satisfactory to a candid mind; and, therefore, we do not intend to undertake its defence. There is much in it which a well-instructed Catholic could no doubt refute. There is therefore the less excuse for an ignorant Catholic, who wilfully misrepresents its arguments. But the author of 'Father Oswald' is perpetually misquoting passages from his antagonist, in order the more effectually to refute them. We will give a single instance out of many.

In 'Father Clement,' a Presbyterian clergyman is made to cite a text of scripture as opposed to the Roman Catholic custom of bestowing the paternal title on priests. This is perfectly consistent with the known doctrine and practice of the Scottish Church. But the author of 'Father Oswald' has the folly to place the same sentence in the mouth of an Episcopalian Dean; purely in order that his Catholic opponent may triumphantly remind him, that the Bishops of the Anglican Church are styled 'Right Reverend Fathers in God.'

It is not, as may be supposed, our intention to discuss in this place the theological opinions of the Catholic church. If it were, we certainly should have taken the pains to select some more responsible opponent than the author of the slight and feeble work before us. There would be little credit, and less real utility, in exposing the blunders of a writer who believes that the Sovereign of Great Britain is head of the Scottish Church;* who advocates the worship of Saints without an attempt to explain the express prohibition of Scripture;† who argues the question of clerical celibacy without noticing the advice of St Paul, that a Bishop should be 'the husband of one wife';‡ and who endeavours to prove that St Peter possessed supreme authority over the primitive Church, in apparent ignorance of the remarkable passage, in which another Apostle speaks of 'having withstood him to the face, because he was to be blamed.'§

The only subject mentioned in the work before us, upon which we intend to permit ourselves a few remarks, is the doctrine of Ecclesiastical Infallibility—a doctrine which has caused an intolerant spirit, the shame and scandal of every other Christian sect, to become a necessary article of the Roman Catholic creed. It is on this account, and not merely because we think it a theological error, that we desire to notice it; and we shall discuss it in the character, not of polemical disputants, but of advocates for universal peace and good-will—in the hope, not of making Protestant converts, but of making candid and charitable Catholics.

The strictest Catholic will scarcely maintain that the passages of Scripture which refer to an Infallible Church are either very numerous or wholly unequivocal. They consist chiefly of general promises of Divine support and consolation, or of injunctions to obey the Church; most of which, as appears by the context, allude solely to the maintenance of the *moral* discipline, so neces-

* P. 261. † Col. ii. 18. ‡ 1 Tim. iii. 2. § Gal. ii. 11.

sary in a community of Christians living under a heathen government. There is only one text which we remember to have heard cited as absolutely decisive upon the point. This is the express promise made to St Peter, that the gates of hell should not prevail against the Christian Church. To us these words appear a simple prediction of final triumph to the Christian religion. We are perfectly satisfied with their fulfilment, when we find that religion, after a lapse of eighteen centuries, still flourishing, and likely to flourish. We are unable to comprehend by what subtle process a Catholic can extract from them an assurance of the uninterrupted existence of a Church holding an entirely pure faith. Nor can we conceive how the gross practical abuses which are admitted to have abounded during the dark ages, can be thought consistent with a prophecy which excludes the most trifling and transitory theoretical error. A Pope might profess himself an Atheist—he might commit parricide, and incest, and sacrilege—he might encourage crime by the open sale of Indulgences—he might destroy the souls of unborn generations, by disgusting whole nations of good Catholics into incurable heresy. All these abominations gave no triumph to the powers of darkness. But that a Pope who hated and despised Christianity should misrepresent the least of its doctrines—that a Pope who had poisoned his father should consecrate an unworthy Saint—this was a scandal precluded by the express promise of Scripture. We certainly cannot understand why the bad advice of a Pope should be more pernicious to the Church, or more gratifying to its enemies, than his bad example; and we own, that a victory over the gates of hell, which was maintained by Alexander Borgia and would have been lost by Melancthon, appears to us very far from unequivocal.

Our limits will not permit us to discuss the evidence of the various modern miracles upon which most Catholics place such strong reliance. We shall but remark that the facts, supposing them proved, are mere exceptions from the ordinary laws of matter, occurring spontaneously, and without any perceptible cause or object. When St Paul healed the sickness of a believer, or struck blind a blaspheming fanatic, it was easy to see the connexion between his miraculous powers and the truth of the doctrines he preached. But we cannot perceive any such connexion between a supernatural phenomenon and the religious belief of the nation in whose country it appears. Take, for instance, the miracle which converts the hero of the present tale. Suppose that, fifteen hundred years ago, Providence was pleased, for some mysterious purpose, to endow a

phial of blood with certain miraculous properties—can any one presume to say, that the relic must necessarily lose those qualities while in the custody of persons holding an erroneous faith? Can any one prove that it would not retain them, though transferred to Westminster Abbey or the mosque of St Sophia? Every one has heard of the extraordinary stories which several intelligent travellers have related respecting the feats of certain Egyptian necromancers. They are as well attested, and appear as inexplicable, as any miracle of the Romish Church. But would it have been reasonable in Lord Prudhoe to turn Mahomedan, because he could neither doubt nor explain what he has told us? Or was a devout Jew bound to accept the miraculous qualities of the pool of Bethesda, as a Divine confirmation of all the absurd subtleties taught by the Rabbinical schools?

We have thought it necessary to touch upon these subjects, because we are unwilling to test the pretensions of the Roman Catholic Church by human rules of reason, without at least stating our opinion on her claims to the support of revelation. It is not for us to doubt the inspired writings on grounds of expedience or of probability. But if—as we think will be agreed by most persons who minutely examine the well-known arguments, at which we have merely hinted—it is more than doubtful whether this supreme authority interferes with the question, we have then less scruple in giving our own opinion. To us, indeed, the mere existence of a reasonable doubt upon the point we have noticed, appears almost conclusive. How strange that a book like the Bible, written for the express purpose of being expounded by an infallible human tribunal, and of a nature to prove most pernicious to those who reject that assistance, should not be full of references to the auxiliary guidance which can alone make it a blessing to mankind! How strange that it should nowhere inform the reader in what precise quarter all his doubts may be resolved! How strange that the Catholic should be unable to discover in its pages a single distinct recognition of the Church as an infallible authority in matters of doctrine! And how much more strange that it should contain two or three passages, apparently, if not indisputably, recommending the inspired writings as a rule of Christian faith!

Before we proceed to mention a few of the most plausible arguments against the Right of Private Judgment,* we must briefly

* We have discussed this subject at sufficient length, and in a different fashion, in an article devoted to it, in our preceding Number.

notice a misapprehension which very commonly prevails on the subject. Catholics are accustomed to speak with astonishment of the presumption which Protestants display in rejecting the authority of the Church. They are apt to talk as if they could conceive no possible motive for doubting it, except a desire to exercise the intellect upon forbidden subjects. To us, we confess, implicit submission on such a subject appears no such safe or innocent measure. We can easily conceive the consolation which fancied relief from responsibility bestows on those minds which mistake indolence and indifference for faith and humility. But to a conscientious Christian we think that the admission of a guide pretending to infallibility must appear a most serious and anxious step—a step to be taken with the calmest deliberation and the deepest solicitude. This is the feeling of a religious Protestant. He would gladly shelter himself under the authority of an infallible Church, if he could satisfy himself that any such Church existed. But he is unable to feel this conviction. He knows that Providence has given him faculties which enable him, in some measure, to weigh the evidences, and understand the nature, of revelation; and he dares not abandon this security until he is confident that it will be replaced by a better. He may be wrong; but we are sure that his error is one which a candid mind would rather pity than blame. It is the error of over-scrupulous timidity rather than of presumptuous self-conceit.

We shall not meddle with the arguments, addressed rather to the imagination than the understanding, which Catholics found upon the venerable antiquity of their Church. We shall leave them to discuss their chronological priority with the Ghebiri and the Brahmin; and their claims to primitive immutability with the Anglican high-churchman and the Greek schismatic. Nor shall we dispute their boasts of the affecting and consoling nature of their peculiar doctrines. We know that every thing is captivating to human weakness which tends to substitute the excitement of the imagination for the devotion of the heart. We have no doubt that the minds of the Israelites were deeply impressed by the sight of the golden calf, and by the rites of Moloch or Ashtaroath. The history of religion, in short, is but a series of Divine revelations, each in its turn defaced and corrupted by the inveterate repugnance of mankind for the pure and rational worship of a spiritual being.

The great argument against the expediency of private judgment is, of course, the variety of dissensions and errors to which it leads. Catholics ask, whether it is not incredible that this

should be the will of Providence—whether it is not certain that there must be somewhere a constantly accessible oracle, able to solve each new doubt, and detect each new heresy, as it arises. We shall not pause to discuss the abstract question. We shall not decide whether an infallible Church, possessing such sanctions that no rational being could at once profess Christianity and doubt her authority, would have been a benefit to mankind. One thing is certain: the Church of Rome does not possess such sanctions. Thousands of the best and wisest men that ever existed, have lived happily, and died peacefully, in open dissent from her doctrines. Whether they were right or wrong, their example is amply sufficient to show that the most patient and unprejudiced enquirer will frequently be unable to convince himself of the existence of an infallible Church. Even if we go no further, the difficulty is clearly unresolved. Incredible as it may be, that Providence has appointed no certain guide to salvation, it is far more incredible that Providence has made the attempt and failed.

But we may go much further. What we have said of Ecclesiastical Infallibility is far from applying to those great doctrines which are common to Catholics and Protestants. It is certain that there are sectarians who profess to draw opinions from the Bible, which would reduce Christianity to the level of Deism. We do not wish to judge such persons harshly or hastily. But it cannot be denied that they form a very small minority; and that few eminent names are to be found among them. This is a distinction which no Catholic can deny. No Catholic can deny that, where one Christian has doubted the great truths of the Gospel, fifty have doubted the authority of the Church of Rome. Of those who have professed Christianity during the last three centuries, a very large minority have refused to believe in the existence of an infallible Church. Of the same body, how many have denied the doctrines comprised in the Apostles' creed? Probably not one in a hundred. And if we subtract the prejudiced, and the careless, from this comparatively small number, we shall really find reason to doubt whether the Bible ever leads a candid and sincere enquirer into dangerous error. But be this as it may, the facts are undeniable; and the conclusion, reason as we will, is irresistible. Difficult as it may be to interpret the Scriptures, to ascertain the existence of an inspired interpreter is more difficult still.

The weight of this consideration is increased tenfold when we find that, according to the Roman Catholic, Ecclesiastical Infallibility is, to many well-meaning men, not merely a doubtful support, but a new and formidable danger. The Church of Rome has determined, that submission to her authority is an

essential, as well as an assistance, to happiness in a future state. It is thus that the most trifling misconception becomes a fatal heresy, by infusing distrust of the Church. It is thus the most faultless orthodoxy ceases to be a security, if it is not the consequence of implicit belief in her infallibility. Surely we must pause before we admit the monstrous conclusion, that an institution, which has narrowed and limited the path of safety, was intended by Divine goodness to smooth and secure it.

Even if we acknowledge the Church of Rome to be in theory an infallible guide, this does not make her so in practice. It is one thing to possess unerring means of discovering the truth, and another to possess unerring means of communicating it. Catholics, indeed, are apt to speak as if their oracular Church were continually at their elbow. They seem to imagine that an Irish peasant, or a South American guacho, or a Paria convert at Goa, can put himself in communication with the Pope whenever he wants advice or consolation. But we know, and they know, that the truth is far otherwise. The uneducated Catholic is compelled to receive all the doctrines of his Church upon the bare word of his Confessor. It is not pretended that a Priest is supernaturally inspired in instructing his flock, or supernaturally restrained from betraying them. Instances of public scandal have proved that all Jesuits are not so learned or high-minded as 'Father Oswald.' Hence nine Catholics in ten must submit to have their faith dictated, not by an infallible Church, but by a mortal like themselves—an instructor always fallible, often ignorant, and sometimes interested or malevolent. One such instance is enough to show that a Catholic is not safe from error merely because his Church is infallible; for he can never be sure that he has received her true and genuine decisions.

Catholics, we are aware, will contend that, when a layman acts in good faith upon the advice of his Confessor, the guilt of his errors will rest upon the Priest who misleads him. We might retort, that when a Protestant does his best to understand his Bible, he cannot be held answerable for the weakness of his intellect. But this is not the point in dispute. In both cases mischief is done, let who will be answerable for it. The question is, which is the more common and the more probable mischief?

There is no doubt that an ignorant layman is as likely to blunder as an ignorant Confessor; but, if he is a conscientious man, he will at least do his best to be right. He will not go astray from indolence, or recklessness, or wilful obstinacy. Every motive which can mislead a sincere man in judging for himself, may mislead him in judging for another. But there are a thousand motives which might induce a man to deceive another, which

would not influence him in deciding for himself. Our meaning will be best illustrated by examples. Neither Catholics nor Protestants can deny that many may be cited on both sides. If Cromwell thought it right to sack Drogheda because Joshua sacked Ai, did not Sixtus V. offer public thanksgivings for the massacre of St Bartholomew? If Balfour justified the murder of an Archbishop because Samuel hewed Agag in pieces, did not Clement and Ravaillac commit regicide at the instigation of their spiritual advisers? Now, we leave it to any impartial reader to decide which error is the more natural, and the more consistent with sincerity—the blind credulity which follows evil counsel, or the impious sophistry which is its own deceiver? The ignorant bigotry of Charles IX. or Philip II. is surely a thousand times more likely to find imitators than the perverse fanaticism of Knipperdoling or Hugh Peters. We therefore think it clear that where one well-meaning Protestant is misled by his Bible, ten well-meaning Catholics are likely to be misled by a wicked Confessor. The inference is obvious. The wiser system of discipline is that which guards against the more probable danger—which protects the simple Christian from being deluded by others, and leaves Providence to protect him from deluding himself.

But even when the decrees of the Church are correctly received, we do not see why they are less liable to misconstruction than the Bible. The wisest Catholic, when he has ascertained what they are, must use his own understanding to expound and apply them. This is what Protestants do when they consult the Scriptures; and what Catholics think so absurd and so perilous. But, it will be replied, the Commentary of the Church gives us the meaning of the Bible in less ambiguous language. On points of real importance we deny that this is possible. No language can be less ambiguous than that in which the Bible states those religious truths which practically concern mankind. If there are men who persist in explaining away those truths when declared by an inspired book, we cannot see why they might not explain them away when declared by an infallible Church. If there are men who will not believe that St Paul means what he says, we do not know what is to make them believe that the Council of Trent meant what they said. If a Socinian cannot understand the assertion, that the Author of Christianity 'thought it 'no robbery to be equal with God,' we know no language by which the Church could make him credit her belief in the Trinity. If the command, 'Do this in remembrance of me,' is not explicit enough for the Quaker, we cannot perceive by what form of words the Church can convince him that she thinks it his duty

to attend the sacrament. An angel from heaven could not persuade men who will not comprehend what is plainly told them; and we know that inspiration has declared, that when conscience and common sense are silenced, an angel from heaven would plead in vain.

The truth is, that Popes, Councils, and Confessors, are all insufficient to insure true, or detect erroneous belief. The more we examine their nature, the more convinced we shall be that they are the expedients of human weakness, ever anxious to interpose some visible interpreter between itself and the spiritual world. The more we examine their effects, the more convinced we shall be how frail such expedients are. There is a point at which language ceases to communicate the workings of the mind; and beyond that point there is an infinite field for wandering or for discovery. Let casuists define and distinguish as they will, the subtle infidelity of the human heart will extract doubt and heresy from their most skilful definitions. Let Confessors probe the consciences of their penitents as they may, there are recesses which their penetration cannot explore, nor their counsels enlighten. It is, in short, impossible for one man to embrace another's belief in its full perfection, or comprehend another's error in its full peril.

But let us suppose these preliminary difficulties surmounted, and the authority of the Roman Catholic Church admitted: Still it may well strike the proselyte as strange, that the difference in faith, or rather the additional articles of faith, which she teaches, should be thought to justify such high pretensions and such rigid intolerance. He will be surprised to find that the hopes and the duties of the true believer, and the heretic, are practically the same; and that the exclusive privileges of the Church consist in pronouncing upon mysteries which no human being is called on to explain, and in ordaining ceremonies which, whether beneficial or not, are certainly but of secondary importance. Catholic ingenuity has provided an answer, such as it is, to these complaints. It is not, we are told, because he is authorized to recognise a miracle in the Eucharist, or to worship saints, or to pray for the souls of the departed, that the Catholic is superior to the Protestant. It is from the nature of his belief. His faith is grounded upon the authority of an infallible Church, not upon his own uncertain views of Scripture, and therefore it is firm and undoubting to a degree which no other Christian can imagine. Catholics deny entirely that Protestants have any *faith* at all; they have nothing but *opinion*. . . . Opinion is the persuasion of man's mind grounded upon probable, though not certain, motives. . . . Divine faith, on the contrary, is founded on the cer-

‘tain and infallible word of God, which can never suffer change. Protestants often change their opinions, as they see more or less of probability in their interpretation of the Bible; hence they have opinion, not faith.’—(Father Oswald, p. 225.)

We need not detain our readers by metaphysical definitions of opinion, faith, and certainty. Any man of common sense can perceive the situation of each party. The Protestant possesses a book which he believes to be the genuine work of inspiration. Much of it, as any reasonable student might expect, is obscure; but he finds there the great outlines of revealed religion defined with all the clearness of which language is capable. He knows that few persons, not grossly ignorant or bitterly prejudiced, have ever denied the authority of the Bible; and that fewer still have doubted its obvious interpretation upon any material point. The Catholic, on the other hand, receives the same great truths from a Church which he believes infallible. Be it so; but why does he believe in her infallibility? Has he no better reason than that he happened to be born and educated within her pale? There is but one answer: He believes because his reason is satisfied. He believes because he has applied to the evidence of Papal authority, the same test which the Protestant is so severely blamed for applying to the text of the Bible. His faith, like that of the Protestant, is more or less firm according to the strength of his rational conviction. Like the Protestant, he may be firm, or wavering, or lukewarm, in his religious opinions; and, like the Protestant, he may be betrayed into unbelief by fear, interest, or delusion.

Let us see how the attempted distinction looks when applied to the ordinary exercises of the understanding. One mathematical student believes that the square of the hypotenuse is equal to the squares of the sides enclosing the right angle, because he has read Euclid’s forty-seventh proposition. Another, wholly ignorant of geometry, believes the same upon the statement of his tutor. Both are perfectly reasonable, and may be equally firm, in their conviction. But how absurd to say, that one believes by opinion and the other by faith! Nothing can be clearer than that the same effect takes place in the mind of each, though produced by different processes. One has mastered a demonstration in Euclid, the other has been instructed by a skilful mathematician who has no motive for deceiving him. In both cases, reason may undo what reason has done. The geometer will abandon his conclusion if he is shown a flaw in his theorem. The tyro is of course inaccessible to such reasoning as this; but prove that his informant knows nothing of geometry,

or has an interest in misleading his pupils, and his belief is shaken at once.

So far we have reasoned as if Catholics and Protestants stood on the same ground. But we might easily insist upon giving the superiority to the latter. We might easily argue that a chain of historical evidence, almost every link of which has been questioned by learned and disinterested judges, cannot produce the same effect upon the understanding with a few plain words, written in a Book which almost every man of worth and sense, during eighteen centuries, has admitted to possess divine authority. A reasonable man may be brought to believe that he has given too much weight to the testimony of such a Father, or too little to the arguments of such a Reformer; but he can scarcely be persuaded that he does not comprehend his own native language.

Still there is no great and undoubted difference between the belief of the Protestant and that of the Catholic. The former holds fast such doctrines as are distinctly and uniformly laid down in Scripture; but does not think himself bound to explain all obscurities, or reconcile all conflicting passages. The latter clings as scrupulously to the use of holy water, and the sign of the cross, as to the most solemn truths of religion. But we cannot see the merit or the advantage of this. Suppose that Protestants cannot agree about Church government, or that they differ in interpreting the Book of Revelation—what have such doubts to do with the religious or moral duties of a Christian? To us, we acknowledge, nothing appears more irrational than the anxious craving after *certainity*, upon all religious subjects alike, which Catholics appear to encourage. We are wholly unable to comprehend their compassion for the miserable vacillation of persons who are content to hold different opinions, or no opinion at all, upon the expediency of liturgies and surplices, or the mysteries of election, assurance, and final perseverance. They seem utter strangers to a state of contented doubt upon speculative questions—to that disposition of mind, which, even when musing with the deepest interest upon the secrets of religion, resigns the hope of completely resolving them. But this is what a Protestant feels—and feels without a touch of uneasiness or repining—upon most of the points so dogmatically decided by the Church of Rome.

Catholics are accustomed to interpret the assertion of the Right of Private Judgment into a refusal to believe any doctrine which appears mysterious or unintelligible. No error can be more unreasonable. Evidence may establish a fact, without explaining

its nature. It would be easy to multiply cases in which no man of sense would hesitate to believe the truth of a proposition which he is unable to comprehend. May not a third man be convinced of the existence of light? May not a man believe, upon the assurance of Sir John Herschel, that the earth describes an ellipse round the sun, though he does not know what an ellipse is? This is peculiarly the case in religion. A rational mind will expect, and even require, some obscurity in a revelation of the secrets of a future state. There is nothing which more distinctly exposes the human origin of false faiths, than their clumsy attempts to influence the imagination by attributing corporal pains and pleasures to spiritual beings. The whips and chains of Tartarus, the *Houris* of Mahomet, and the inexhaustible ale-cups of Valhalla, are rejected by men of sense, principally because they are too familiar and intelligible. And, therefore, religious Protestants do not think themselves justified in denying doctrines otherwise well supported, because they cannot pretend fully to understand them.

If Catholics require any thing more than this, we are certainly unable to comprehend their reasons. We know they are fond of contrasting their own simplicity and humility with the intellectual pride of the Protestant. But we presume that they scarcely mean to commend the habit of belief without examination. We own we cannot discern the merit of a lucky guess upon religious subjects. We always believed that the ready faith, so much commended by Scripture, was the triumph of reason in a candid and humble mind, unresisted by pride, or prejudice, or the delusions of the fancy. We are persuaded that the keenest, the calmest, and the most purely rational intellect, is precisely that which is likely to be most strongly impressed by the evidences of the Christian religion. We think, in short, that the believer in the Bible ought to feel a stronger conviction that he is right, than the believer in the Koran or the Shashtra; and we cannot perceive how he can effect this, while he shrinks from the presumption of exercising his natural faculties on the subject.

Still, it does not follow from what we have said, that no man is responsible for his belief. It is true that the natural infirmity of the mind is no more a crime than that of the body. A man that is an infidel purely from the obliquity of his understanding, is as blameless as a Hindoo or a Mussulman; for intellectual inability to comprehend religious truth, is as involuntary as physical inability to hear it. But mental, like bodily infirmity, may be produced by the neglect or the vices of the individual; and in that case he is responsible for the consequences of his own fault and folly. Though belief itself is not an act of the will, yet the

acts of the will may directly influence it; and when this is knowingly done, it ceases to be irresponsible. "There is the greatest difference between a belief dictated by the unbiased decision of the reason, and a belief arising from pampered prejudices, suppressed scruples, and neglected means of information.

The misapprehension upon which we have just animadverted * has naturally led Catholics to believe that infidelity is the consequence of Protestant principles; and that, if all Protestants are not infidels, it is only because they shrink from following up their own reasoning. This opinion is expressed, in the work before us, by a French Deist. 'No sooner,' says this philosopher, 'do we take leave of Notre-Dame, than we seek refuge in the temple of reason and universal philosophy. No halfway house can for a moment detain us in our ardent career. In one word, we see intuitively the final conclusions of your admirable principles; for, to do you justice, we cannot but allow that the true principles of philosophy—independence of thought, and freedom from the trammels of authority—passed from Britain into France.'—(P. 187.) This is no doubt the true language of a bigoted infidel—of a weak man who is ashamed of having believed too much, and is therefore determined to believe nothing at all. But does not the writer perceive that such a man's 'intuitive' views of Protestantism are not to be relied upon? It is perfectly natural that an apostate Catholic should think he is carrying out the principles of the Reformation by becoming an atheist; just as Cloots and Marat thought they were carrying out the principles of British liberty, by instituting 'Feasts of Reason' and 'Revolutionary Tribunals.' But a man who has never lived but at the Pole or the Equator, is no judge of the merits of a temperate climate. Before we settle that 'independence of thought, and freedom from the trammels of authority,' are inconsistent with Christianity, let us look at their practical consequences. Before we condemn the Protestant religion, let us enquire its effect upon those who are acquainted with it, not, like this Deist, by intuition, but by long and happy experience.

Undoubtedly Protestantism is, in sober earnest, what he calls it in silly irony—a 'halfway house.' It is a halfway house between Popery and Deism—between superstition and infidelity—between the weak enthusiasm which accepts without proof, and the weak prejudice which rejects without examination. We never heard of a sober, rational belief on any disputed subject, which was not a halfway house between some two extreme opinions. Nicknames for moderation have always been common among zealots. But the assertion that Protestantism is the usual or natural road to scepticism, is contradicted by every

principle of human nature, and every page of ecclesiastical history.

Every one has seen instances of the principle of excessive reaction—of the tendency which leads men to mistake reverse of wrong for right. It is the nature of weak and passionate minds to fly from one error into that which is diametrically opposed to it. But who ever saw such a change take place gradually, or by measured intervals? We know that there is no rebel so desperate as a slave outwearied by tyranny; and no loyalist so submissive as a Jacobin scared by a Reign of Terror. But we never heard that the subjects of Louis XIV. became moderate Whigs before they became Anarchists; or that the colleagues of Robespierre began by turning liberal Conservatives, and ended by crowning Napoleon. We can understand the feelings which change a despot into an ascetic recluse, or a voluptuary into a cynical misanthrope; but we should have been surprised indeed if Charles had prepared for his Convent by becoming a private noble, or Timon for his Cave by settling in retired lodgings.

The history of Christianity, in all ages, offers the strongest proof of the comparative safety of moderate opinions from sudden and violent change. In religion, as in politics, slavery has always been the surest precursor of anarchy. Whether we look at the epicurean scepticism of Italy under Leo, or at the fanatical infidelity of France before the Revolution, we constantly observe the same process—unreasoning faith converted, by a short and easy metamorphosis, into unreasoning disbelief. We know of no such change in any community familiar with the exercise of Private Judgment.

The truth is, that in the great majority of Protestants, St Dominic himself could discover no heresy, except that they scruple to profess any decided faith on points which are neither distinctly revealed nor essential to religious practice. They differ from the Catholic, not so much by positively denying what he believes, as by not presuming to enforce it as undoubted truth. They do not condemn the faith of the Papal Church, even on most points where they consider it most improbable. They condemn the presumption with which, on her own authority alone, she has declared that faith infallible, and has taken it for granted in her most solemn forms of worship.

A Protestant, for example, may speculate as he pleases upon the precise nature of a future state, or upon the intercourse of departed spirits with mankind. But he does not venture to act upon his speculations. He does not intercede for souls in purgatory, or offer prayer to Saints, because he thinks it presump-

tion to take for granted any opinions, or to offer up any devotions, not directly warranted by Scripture. The same reasoning may be applied without irreverence to the most solemn rite known among Christians. A Protestant finds himself expressly commanded to perform a certain ceremony in commemoration of the Founder of his religion. This command he scrupulously obeys; and his obedience is enough to satisfy his conscience. He has no certain means of comprehending, nor is he called upon to comprehend, the precise nature and consequence of the act in which he partakes. His own senses compel himself to believe that the only inspired words which explain this mysterious subject must be in some degree figurative; because their literal meaning points to a material transformation, which, by the admission of Catholics themselves, is never perceptible. How far those words are figurative, he cannot contrive positively to decide. He may form what opinion he will, or he may decline to form any at all; but he must recollect that his conjectures are unsupported by revelation. If he considers the Eucharist to be a symbolical rite, it is not because he doubts the power of heaven to work a miracle, or because he rejects the benefit of such a supernatural interference. If he considers it a miraculous solemnity, it is without venturing to adore a Presence, the precise nature of which is not intelligibly defined by inspiration.

Let any wise and liberal Catholic consider the arguments we have been using. Let him look upon his Protestant fellow Christians, not as malignant enemies to his Church, but as prevented, by their involuntary doubts, from staking their souls upon her infallibility—not as insolently despising her peculiar doctrines, but as fearing to be guilty of presumption, by making them matter of religious obligation. Let him look upon them as men warmly attached to the great truths of Christianity, but excluded, by acquired prejudice or natural weakness, from the enjoyment of those auxiliary benefits in which Catholics profess to find so much consolation. Surely the Church of Rome, if she were indeed the indulgent mother which her children esteem her, could not denounce such bewildered wanderers as exiles from her pale, and strangers to her hope! Surely the Christian who believes himself to possess an infallible guide to heaven, should look with hope and interest, not with scorn and abhorrence, upon the unassisted exertions of those whose conscientious scruples compel them to attempt the arduous path alone!

- ART. VIII.—1. *Tracts for the Times.* By Members of the University of Oxford. 5 vols. 8vo. 1833—40.
2. *Church Principles considered in their Results.* By W. E. GLADSTONE, Esq. M.P. 8vo. London: 1840.
3. *Ancient Christianity, and the Doctrines of the Oxford Tracts.* By the Author of *Spiritual Despotism*. Vols. I. and II. London.
4. *The Divine Rule of Faith and Practice; or, a Defence of the Catholic Doctrine that Holy Scripture has been, since the times of the Apostles, the sole Divine Rule of Faith and Practice in the Church, against the Dangerous Errors of the Authors of the 'Tracts for the Times,' and the Romanists.* By WILLIAM GOODE, M.A. of Trinity College, Cambridge. 2 vols. 8vo. London.
5. *The Kingdom of Christ delineated; in Two Essays, on our Lord's own Account of his Person and of the Nature of his Kingdom, and on the Constitution, Powers, and Ministry of a Christian Church, as appointed by Himself.* By RICHARD WHATELY, D.D., Archbishop of Dublin. 8vo. London: 1841.
6. *Oxford Divinity compared with that of the Romish and Anglican Churches, with a Special View of the Doctrine of Justification by Faith.* By the Right Rev. C. P. M'ILVAINE, D.D., Bishop of Ohio. 8vo. London: 1841.
7. *The Church of the Fathers.* 12mo. London: 1842.
8. *The Voice of the Anglican Church, being the declared Opinions of her Bishops on the Doctrines of the Oxford Tract Writers.* 12mo. London: 1843.
9. *Anglo-Catholicism not Apostolical; being an Enquiry into the Scriptural Authority of the Leading Doctrines advocated in 'The Tracts for the Times.'* By W. LINDSAY ALEXANDER, M.A. 8vo. Edinburgh: 1843.

It may sound paradoxical, but it is nevertheless true, that with the disciples of the Oxford Tract School* we have no manner of

* We have employed the term *Puseyism*, simply as the ordinary name by which a certain system of doctrines has come to be popularly designated, and by which it is therefore most readily recognised. It is not intended to imply that the Reverend Gentleman from whose name the term has been derived, would subscribe to every statement or opinion contained in the works of the School to which he belongs; but his own writings leave us no doubt, that in all the more important he cordially concurs. Still, we should have preferred a name not derived

controversy. Their principles, logical and ethical, are so totally different from our own, that we feel it as impossible to argue with them as with beings of a different species. There may be worlds, say some philosophers, where truth and falsehood change natures—where the three angles of a triangle are no longer equal to two right angles, and where a crime of unusual turpitude may inspire absolute envy. We are far from saying that the gentlemen above mentioned are qualified to be inhabitants of such a world; but we repeat that we have just as little dispute with them as if they were. With men who can be guilty of so grotesque a *petitio principii* as to suppose that to those who question the arrogant and exclusive claims of the Episcopal Clergy, and who ‘ask by what authority they speak,’ it can be any answer to cite the words, ‘He that despiseth you despiseth me,’ and ‘whosoever sins ye remit they are remitted’*—with men who think that no ‘serious’ person can treat lightly *their* doctrine of Apostolical succession, and that if there be, it is, to some purpose to quote the text, ‘Esau, a *profane person*, who for one morsel of meat sold his birthright’†—with men who can so wrest the meaning of common terms as to represent the change effected in the eucharistic elements by the words of consecration, to be as much a *miracle* as that performed at the marriage feast at Cana‡—with men who are so enamoured of the veriest dreams and whimsies of the Fathers, as to bespeak all reverence for that fancy of Justin and others, that the ‘ass and the colt’ for which Christ sent his disciples, are to be interpreted severally of the ‘Jewish and the Gentile ‘believers,’ and *also* to attach much weight to that of Origen, who *rather* expounds them of the ‘old and the new Testaments’—with men who can treat with gravity the various patristic expositions of the ‘five barley loaves,’ which some suppose to indicate the ‘five senses,’ and others the ‘five books of Moses’§—with men who can lay down the general principle, that we are to ‘maintain before we have proved,’ ‘that we must believe in ‘order to judge,’ ‘that this seeming paradox is the secret of

from an individual, had we known of any such ~~as~~ widely used and as generally understood. The Oxford party, it is true, vehemently protest against being designated by any name (whether derived from an individual or not) which would imply that they constituted a particular School or Sect, on the ground that their doctrines are *not* those of a school or sect, but of the ‘Catholic Church!’ But in this we cannot humour them; they are in our judgment decidedly a ‘Sect,’ and nothing more.

* Tracts, Vol. i. No. 17, p. 6.

† Tracts, No. 19, p. 4.

‡ Br. Crit., Vol. xxvii. p. 259, 260.

* § Tracts, No. 89.

'happiness,' 'and that never to have been troubled with a doubt about the truth of what has been taught us, is the 'happiest state of mind,'*—these writers at the same time declaring that the *immense majority* of mankind are brought up in this same quiet reception of the most fatal delusions—with men who can believe that the true doctrine of Christian baptism will prove a preservative against forming either a Neptunian or Vulcanian theory of geology; and that the vertebral 'column' and its lateral processes were designed to afford a type and adumbration of the cross†—with men who think the words τοῦτο ποιεῖτε εἰς τὴν ἐμὴν ἀνάμνησιν are the most *natural* words for our Lord to have used, if he meant to say 'Sacrifice this in remembrance of me'‡—with men who can believe that St Antony's nonsensical conflicts with devils may not unworthily be compared with the temptations of our Lord in the wilderness, and that the grotesque portents with which his 'life' abounds may be attributed to diabolical agency§—with men who can write or defend such a Tract as Number Ninety, and at once swear to the Articles and explain them away—with men who think that there is no reason to believe that 'the private student of Scripture would ordinarily gain a knowledge of the 'Gospel from it;' and who 'confess a satisfaction in the infiction of penalties for the expression of new doctrines or 'a change of communion'¶—with men who can affirm and believe such things, and many others equally strange, we repeat we can have personally as little controversy as with those inhabitants of Saturn, who, according to Voltaire's lively little tale, have seventy-two senses, and have discovered in matter no less than three hundred essential properties. The powers of speculation of these gentlemen are either so much above our own, or so much below them—their notions of right and wrong so transcendantly ridiculous, or so transcendantly sublime—that there can be nothing in common between us. Thousands, we know, are ready to resolve the mystery of their conduct by saying, 'Surely these men are 'either great knaves or great fools:' but in the exercise of that charity which *hopeth* all things, we will not assume the former; and in the exercise of that charity which *believeth* all things, we will not assume the latter. We regard them simply as an unexplained *phenomenon*; we stare at them as at a new comet,

* Tracts, No. 85, p. 85, 73; Br. Cr., No. 63, p. 39, 83.

† Sewell's Christian Morals, p. 324. See also Tract No. 89, § vi. vii.

‡ Froude's Remains, Second Part, Vol. i. p. 91, &c.

§ Newman's Church of the Fathers, p. 360. ¶ Br. Cr., No. 59. p. 105.

devoutly hoping at the same time that they may be found to move in a highly hyperbolic trajectory, and that, having swept across our system, they will vanish and return no more.

It is not to them, then, that we address ourselves; but to the thousands of our readers who may have neither time nor inclination to peruse the voluminous productions of their School. For their sakes we shall attempt something like a systematic exposition, once for all, of its principal doctrines, and they can then decide whether or not it is their duty to accept them.

It is now about ten years since the founders of this School set about achieving their great miracle of putting the 'dial' of the world 'ten degrees backward.' Their first proceedings were comparatively moderate. They had arrived at the conclusion that the Church of England had become more 'Protestant than the Reformation;' that she had somehow swung loose from her moorings, and had insensibly drifted with the tide to a point very different from that at which the pilots of the Reformation had anchored her; that the spirit of the English Church resides rather in the Liturgy and Rubric than in the Articles; and that the former ought to interpret the latter; that certain 'great and precious truths' had nigh gone out of date, and that certain high 'gifts' and prerogatives of the Church had come to be cheaply rated. They further thought that these 'precious truths' required to be restored, and these high 'gifts' to be vindicated.

To diffuse their views they commenced that remarkable series of publications well known by the name of the 'Oxford Tracts;' at an early stage of which appeared Mr Newman's *Via Media*, or middle road to heaven, between Romanism and Protestantism. This *Via Media* appeared to many nothing more or less than the 'old Roman road' uncovered and made passable. What was thus early suspected was in due time made manifest. No matter how comparatively moderate the first pretensions of these writers; it was soon seen that their system of doctrine and ritual was fast assuming a form not essentially different from that of undisguised Romanism. Flushed with success, and forgetting all caution, they rapidly developed, partly in the Tracts and partly in separate works, principles at which the Protestant world stood aghast. In a word, the system closely resembled that of Rome; it was, as geometers say, a similar figure, only with not so large a perimeter.

They affirmed, as we shall fully show hereafter, that the Scriptures were not the sole and absolute rule of faith; that tradition was supplemental to it, and that what it unanimously taught was of co-ordinate authority; that a fully developed Christianity must be sought somewhere or other, (nobody knows where,) within the

first (nobody knows how many) centuries; they spoke contemptuously of Chillingworth's celebrated maxim, and elevated that of Vincent of Lerins into its place: in defiance of the first principles of the Reformation, they advocated 'Reserve' in the communication of religious knowledge, and avowed their preference of the ancient *disciplina arcani*;* they spoke in terms of superstitious reverence of the Fathers, and eagerly defended many of their most egregious fooleries;† they denied most contemptuously 'the right of private judgment,' and inculcated a blind, unquestioning acquiescence in the assurances of the Priest. As they had advocated principles which would justify nearly all the abuses of Rome, so they learned to speak of the abuses to which those principles had led in a new dialect—in terms which would have made the hair of Cranmer or of Ridley stand on end. They apologized for her errors, and, as they were bidden, 'spoke gently of her fall.' They were rewarded (significant omen!) with the friendly greetings of the Romanists in return; and condescendingly assured that 'they were not far from the kingdom of God.'‡ All this will be fully proved hereafter, if indeed there are now any who stand in need of such proof.

But their zeal somewhat outran discretion. They were not yet quite perfect in the art of poisoning. Instead of administering it in homœopathic doses, in invisible elements, by means of perfumed gloves or sweet confectionary; their impatience could not brook the long delay required by so tedious a process. They exchanged the gentle decoction of laurel leaves for prussic acid; till at last, in Number Ninety, which ought by right to be called the 'Art of Perjury made Easy,' they administered so strong a dose, that even the Ostrich-stomach of the Church could no longer endure it. She threw off the nauseous compound with a convulsive effort, and refused to take any further preparations from the laboratory of these modern 'Subtles.'

But though the Oxford Tracts were at length silenced by authorities unwontedly patient of scandal, the poison was too widely diffused to admit of any sudden and instant counteraction.

* Nos. 80 and 87, Tracts on 'Reserve.'

† Tract 89—On 'Ancient Mysticism,' *passim*.

‡ 'It seems impossible,' says Dr Wiseman, 'to read the works of the Oxford divines, and especially to follow them chronologically, without discovering a daily approach towards our holy church, both in doctrine and affectionate feeling. . . . To suppose them (without an insincerity which they have given us no right to charge them with) to love the parts of a system and wish for them, while they would reject the root and only secure support of them—the system itself—is, to my mind, revoltingly contradictory.'

Accordingly, in periodical publications of all sorts and sizes—in Reviews, Magazines, and Newspapers, in flimsy Pamphlets and bulky Volumes, in letters, in dialogues, in tales and novels, in poetry, in congenial fiction and perverted history, in every form of typography, and in every species of composition—have the very same, nay, still more outrageous, doctrines been industriously propagated. Of this, too, we shall give full proof.*

Thus it was seen that the *Via Media*, instead of being a road running between Protestantism and Romanism, and parallel to both, branched off at a large angle from the former, and, after traversing a short interval of moss and bog, which quaked most fearfully under the traveller's uncertain tread, struck into that 'broad,' well-beaten, and crowded road which leads to Rome and destruction' at the same time.

If the Oxford Tract writers had strictly adhered to what appeared to be their original intention, as stated in the *Via Media*, it would have been difficult, at all events, for a clerical antagonist to know how to deal with them; as they, for similar reasons, would have found it equally difficult to know how to deal with *him*. While the Oxford party maintain that the spirit of the Church resides rather in the Liturgy and Rubric than in the Articles, their opponents plead that the spirit of the Church resides rather in the Articles than in the Liturgy and Rubric; and these last, if change *must* come, would fain have the latter brought into harmony with the former; rather than the former misinterpreted into agreement with the latter. Which of these two parties is more near the truth in its notions, we shall not particularly enquire. Never having ourselves sworn and subscribed an *ex animo* assent to 'all and every thing' contained in the 'Articles, Book of Common Prayer, Rubric, and Canons,' we feel at perfect liberty to admire and revere whatsoever we deem excellent in the constitution, doctrines, or ritual of the Church of England, without pledging ourselves to admire or

* The Oxford Tract writers and their adherents, have shown but small practical regard to that principle of unquestioning obedience which forms a prime article of their faith. They suppressed the 'Tracts,' it is true—an act of obedience which, considering that they have since propagated the same doctrines with undiminished zeal, and even openly defended Number Ninety itself, the Bishop of Oxford has acknowledged, in a recent charge, with a gratitude which looks almost ludicrous. They seem to have understood the objection of their superior to be to the *title* of the books, not to the doctrines they contained—to the label on the bottle, not to the poison in it. Their obedience was of the same kind with that of the *dutiful* son mentioned in the Gospel, who said to his father, 'I go, sir,' but went not.

revere all. Considering the circumstances under which the Church was founded, the nation's recent escape from the grossest Popery—the prejudices which required conciliation—the different, and in some respects contradictory, interests that were to be adjusted—the explicit admissions of the most eminent Reformers, that they could not do all they wished, and that they were compelled to content themselves with doing what they could—we cannot wonder that some portions of the Articles and Formularies of the Church should be hard to be reconciled. As little can we wonder that those who have sworn an *ex animo* assent to 'all and every thing in them,' should, after so miscellaneous a feast, feel now and then a little dyspeptic. They may well be pardoned if they make some desperate efforts to show that they are not inconsistent; and even applauded, if they take the more rational course of recommending that any expressions which trouble conscience should be rectified and adjusted. Meantime, as it is impossible that inconsistency should itself be consistent, it is no matter of surprise that these two parties should feel it more easy to refute each other's opinions than to establish their own. One appeals to the Liturgy—the other to the Articles—each can prove the other partially wrong, but neither can prove itself wholly right. In a word, it is a war of reprisals; each takes out its 'letter of marque,' and proceeds to burn and pillage on its adversary's coast; and returning in anticipated triumph—finds equal desolation on its own.

Meantime, one thing is clear. The much boasted unity of the Church—that unity which Mr Gladstone vaunts, and which Mr Newman sorrowfully laments is not to be found,* (not *agreeing*, it appears, even as to whether they are *disagreed*,)—is something like the unity of chaos. There was but *one* chaos, it is true, but in that one there was infinite confusion.

Whether absolute unity be desirable, we have our doubts; that it is impossible of attainment, we have none. We see that the very men who have sworn assent to the very same documents, exhibit almost every variety and shade of theological opinion. From every zone, every latitude of theology, has the Church

* 'In the English Church we shall hardly find ten or twenty neighbouring clergymen who agree together; and that, not in the non-essentials of religion, but as to what are its elementary and necessary doctrines; or as to the fact, whether there are any necessary doctrines at all—any distinct and definite faith required for salvation.—*Lectures on the Prophetic Office of the Church*, p. 394. Again—'In the English Church, by itself, may be found differences as great as those which separate it from Greece or Rome.'—P. 310.

collected its specimens. Each extreme, and all between, is there; from the mere ethical declaimer who has successfully laboured to expel from his discourse every distinctive trace of Christianity, except what may be found in the text and the benediction, to the fanatic who suffers 'grace' wellnigh to exclude 'morality'—from the most rigid Arminianism to the most rigid Calvinism—from high-church doctrines like those of Laud, to low-church doctrines like those of Hoadley—from a theory of the sacraments like that of Dr Hook, to a theory of the sacraments like that of Mr Noel.*

The *argumentum ad hominem*, however, with which the Oxford Tractists (had they restricted themselves to what seemed their *original* object) might have met their clerical opponents, is of no avail against those—whether in the Church or out of it—who have not sworn and subscribed an *ex animo* assent to her public documents; and further, as they have *not* restricted themselves to that object, but have affirmed doctrines and developed a theory essentially inconsistent with Protestantism, it is competent to every body to affirm that they do not of right belong to the Church of England, though they remain within her pale, and most unworthily eat her bread.

Of this any one may convince himself who will take the trouble to examine the Oxford Tracts *seriatim*—more especially those from Number Seventy to Number Ninety. But there are two facts more easily appreciable by the public. The first is, that the *Tracts have been suppressed by AUTHORITY*—none can deny that. The second is, that the ablest and most influential Prelates have, in 'Charges' and other publications, delivered their express testimony against them, in every tone of lamentation, reproof, rebuke: they do not disguise their mingled shame, sorrow, and consternation, that such doctrines should have been promulgated by clergymen of their own communion. Those who please may see this collection of testimonies set forth in one of the publications at the head of this article—'The Voice of the Anglican Church.' Nor must it be forgotten that this series of testimonies derives additional force from the fact, that there is so much in the Oxford Tracts to gratify Episcopal vanity, and to strengthen Episcopal pretensions. Nothing surely but an imperative sense of truth and duty could have extorted them, in the face of the pleasing adulations with which the 'Tracts' abound. It is hard to be compelled to strike the parasite in the very act of sycophancy; and frequent and most

* The reader may see this point more fully treated in our Article on Gladstone's 'Church and State,' Vol. lxi. pp. 268—271.

fulsome was the flattery with which these right reverend men were assailed. Their office and prerogatives were studiously magnified; they were addressed in the humblest tones of awe and veneration;* they were compared to the apostles, not only in their office and dignity—but (let not the reader smile) in their *sufferings*.† How pleasant for a worthy gentleman of princely revenue and baronial dignity, to be told that he is at the same time a sort of martyr, and may aspire to combine the character of prince and anchorite in his own proper person. We have much sincere respect for the Bench of Bishops; but amongst the marks of ‘apostolical succession,’ we certainly had imagined that ‘privations and sufferings’ were not generally included. We repeat, then, that our Prelates have done themselves much credit in so loudly condemning this new heresy. We only hope that they will act consistently with their protests in the discharge of their public duties, and in the employment of their private patronage.

In attempting to give some account of the principal opinions held by the new School, we do not mean to deny that some of them are held, *with certain modifications*, by many who would strenuously remonstrate against being classed in the same category with its founders; nay, we shall not charge all who avow a general coincidence with holding every one to the same extent. ‘Private judgment,’ proscribed as it has been, has been a work here too, and left these men little reason to boast of their unity. We shall content ourselves with developing the system as explained in the Oxford Tracts, and in works avowedly written in approval or defence of them.

* ‘To them (the Bishops) we willingly and affectionately relinquish their high privileges and honours; we encroach not upon the rights of the SUCCESSORS OF THE APOSTLES [these are not our capitals]; we touch not their sword and crosier.’ . . . Exalt our holy fathers, the Bishops, as the representatives of the Apostles and the angels of the Churches, and magnify your office as being ordained by them to take part in their ministry.—(Tracts, No. 1, p. 1, 4. *Addressed to the Clergy*.)

† ‘Again, it may be asked, who are at this time the successors and spiritual descendants of the Apostles? I shall surprise some people by the answer I shall give, though it is very clear, and *there is no doubt about it*—THE BISHOPS. They stand in the place of the Apostles as far as the office of ruling is concerned; and *whatever we ought to do, had we lived when the Apostles were alive, the same ought we to do for the Bishops. He that despiseth them, despiseth the Apostles*. . . . But I must now mention the more painful part of the subject, *i. e.* the *sufferings* of the Bishops, which is the second mark of their being our *living Apostles*. I may say, Bishops have undergone this trial in every age.’—(No. 10, p. 3, 5; also Vol. i., *passim*.)

Neither will our space permit us to attempt more than a general statement of the opinions in question. Some of the particular doctrines most in favour with the Oxford Theologians, we have already pretty fully considered;* and some others may, hereafter, come under our review.

1. These writers maintain, in its fullest integrity and extent, the doctrine of APOSTOLICAL SUCCESSION.† They affirm that the spiritual blessings of Christianity are, so far as we know or have any right to infer, ordinarily restricted to the channel of an Episcopally-ordained ministry; that no minister is a true member even of that ministry, unless found in the line of the succession—in other words, duly ordained by a Bishop duly consecrated; whose due consecration again depends on that of a whole series of Bishops from the time of the Apostles; that ministers not so ordained have no right to preach the gospel, and cannot efficaciously administer the sacraments, let them be as holy as they may; that all who are so ordained may do both,

* See the articles on Dr Pusey's Fifth of November Sermon, (Vol. lxvi. p. 396.)—On Gladstone's 'Church and State,' (Vol. lxix. p. 231.)—On Tract Number Ninety, (April 1841.)—On the 'Right of Private Judgment, and Sewell's Christian Morals,' in the Number for Jan. 1842.

† 'Why should we talk . . . so little of an Apostolic Succession? Why should we not seriously endeavour to impress our people with this plain truth (!)—that by separating themselves from our communion, they separate themselves not only from a decent, orderly, useful society, but from THE ONLY CHURCH IN THIS REALM WHICH HAS A RIGHT TO BE QUITE SURE SHE HAS THE LORD'S BODY TO GIVE TO HIS PEOPLE.'—(Tracts, Vol. i., No. 4, p. 5.)

'As to the *fact* of the Apostolical Succession, i. e. that our present Bishops are the heirs and representatives of the Apostles by successive transmission of the prerogative of being so, this is *too notorious to require proof*. Every link in the chain is known from St Peter to our present Metropolitans.'—(No. 7, p. 2.)

Dr Hook says, 'We ask what was the *fact*, and the *fact* was this: that the officer whom we now call a Bishop was at first called an Apostle; although afterwards it was thought better to confine the title of Apostle to those who had seen the Lord Jesus; while their successors, exercising the *same* rights and authority, though unendowed with miraculous powers, *contented themselves* with the designation of Bishops.' It is the prerogative of men of this school to talk nonsense; but really Dr Hook abuses his privilege. It reminds one of what a lady said to Pelisson, 'Really, Monsieur Pelisson, you abuse your sex's privilege—of being *ugly*.'

let them be as unholy as they will; * that, accordingly, Philip Doddridge and Robert Hall were no true Christian ministers, but that Jonathan Swift and Lawrence Sterne were. All this we know is very mysterious; but then, as the Tracts say, so are many other things which we nevertheless believe; and why not this? It is better 'to believe than to reason' on such a subject; or believe first and reason afterwards. 'Let us believe what we do not see and know. . . . *Let us maintain before we have proved.* This seeming paradox† is the secret of 'happiness.' Thus, seeing is not believing, as the vulgar suppose, but believing is seeing; and you will, in due time, know the 'blessedness' of such child-like docility.‡ But it is necessary to dwell a little on the arguments of the opposite party, in order to do full justice to the hardihood of the required act of faith.

Whether we consider the palpable absurdity of this doctrine, its utter destitution of historic evidence, or the outrage it implies on all Christian charity, it is equally revolting. The arguments against it are infinite, the evidence for it absolutely nothing. It rests not upon one doubtful assumption but upon fifty; and when these are compounded together, according to Whately's receipt for gauging the force of arguments, it defies the power of any

* 'The unworthiness of man, then, cannot prevent the goodness of God from flowing in those channels in which he has destined it to flow; and the Christian congregations of the present day, who sit at the feet of ministers *duly ordained*, have the *same* reason for reverencing in them the successors of the Apostles, as the primitive Churches of Ephesus and of Crete had for honouring in Timothy and in Titus the Apostolic authority of him who had appointed them.'—(No. 5, p. 10, 11.)

† No. 85, p. 85.

‡ 'I readily allow,' says one Tractist on the doctrine of the Succession, 'that this view of our calling has something in it too high and mysterious to be fully understood by unlearned Christians. But the learned, surely, are just as unequal to it. It is part of that ineffable mystery called in our Creed the Communion of Saints; and, with all other Christian mysteries, is above the understanding of all alike, yet practically alike within reach of all who are willing to embrace it by true Faith.'—(Vol. i. No. 4, p. 6.)

'It may be profitable to us to reflect, that doctrines, which we believe to be most true, and which are received as such by the most profound and enlarged intellects, and which rest upon the most irrefragable proofs, yet may be above *our* disputative powers, and can be treated by us only with reference to our conduct.'—(No. 19, p. 3, *On Arguing concerning the Apostolical Succession.*)

calculus, invented by man, to determine the ratio of improbability. First, the very basis on which it rests—the claim of Episcopacy itself to be considered undoubtedly and exclusively of Apostolical origin—has been most fiercely disputed by men of equal erudition and acuteness; and, so far as can be judged, of equal integrity and piety. When one reflects how much can be plausibly and ingeniously adduced on both sides, and that it would require half a volume only to give an abstract of the arguments; one would think that the only lesson which could or would be learned from the controversy, would be the duty of mutual charity; and a disposition to concede that the blessings of Christianity are compatible with various systems of Church polity. God forbid that we should for a moment admit that they are restricted to any one!

But this first proposition, however doubtful, is susceptible of evidence almost demonstrative, compared with that offered for half a dozen others involved in the integral reception of the doctrine of Apostolical succession. Accordingly, there are thousands of Episcopalians, who, while they affirm a preponderance of evidence on behalf of Episcopacy, contemptuously repudiate this incomprehensible dogma: of these, Archbishop Whately is an illustrious example.

The theory is, that each Bishop, from the Apostolic times, has received in his consecration a mysterious ‘gift,’ and also transmits to every Priest in his ordination a mysterious ‘gift,’ indicated in the respective offices by the awful words, ‘Receive the ‘Holy Ghost;’* that on this the right of Priests to assume their functions, and the preternatural grace of the sacraments administered by them, depends; that Bishops, once consecrated, instantly become a sort of Leyden jar of spiritual electricity, and are invested with the remarkable property of transmitting the ‘gift’ to others; that this has been the case from the primitive age till now; that this high gift has been incorruptibly transmitted through the hands of impure, profligate, heretical ecclesiastics, as ignorant and flagitious as any of their lay contem-

* ‘Thus we have confessed before God our belief, that through the Bishop who ordained us we received the Holy Ghost, the power to bind and to loose, to administer the sacraments and to preach. Now, *how* is he able to give these great gifts? *Whence* is his right? Are these words idle, (which would be taking God’s name in vain,) or do they express merely a wish, (which surely is very far below their meaning,) or do they not rather indicate that the speaker is conveying a gift?’—(Tracts, Vol. i. No. 1, p. 3.)

poraries; that, in fact, these 'gifts' are perfectly irrespective of the moral character and qualifications both of Bishop and Priest, and reside in equal integrity in a Bonner or a Cranmer—a Parson Adams or a Parson Trulliber.

Numberless are the questions which reason and charity forthwith put to the advocates of this doctrine, to none of which will they deign an answer except the one already given—that believing is seeing, and implicit faith the highest demonstration. What is imparted? what transmitted? Is it *something* or *nothing*? Is consecration or ordination accompanied (as in primitive times) by miraculous powers, by any invigoration of intellect, by increase of knowledge, by greater purity of heart? It is not pretended; and, if it were, facts contradict it, as all history testifies: the ecclesiastic who is ignorant or impure before ordination, is just as much so afterwards. Do the parties themselves profess to be *conscious* of receiving the gift? No. Is the conveyance made evident to us by any proof which certifies any fact whatsoever—by sense, experience, or consciousness? It is not affirmed. In a word, it appears to be a nonentity inscribed with a very formidable name—a very substantial shadow; and dispute respecting it appears about as hopeful as that concerning the 'indelible character' imparted in the unreiterable sacraments of the Romish Church; of which Campbell archly says—'As to the *ubi* of the *character*, there was no less variety of sentiments—some placing it in the essence of the soul, others in the understanding; some in the will, and others *more plausibly* in the imagination; others even in the hands and tongue; but, by the general voice, the body was excluded. So that the whole of what they agreed in amounts to this, that in the unreiterable sacraments, as they call them, something, they know not *what*, is imprinted, they know not *how*, on something in the soul of the recipient, they know not *where*, which never can be deleted.'

Again, who can certify that this gift has been incorruptibly transmitted through the impurities, heresies, and ignorance of the dark ages? Is there nothing that can invalidate Orders? 'Yes,' say *some* of these men, 'error in fundamentals will.' Others affirm it will not; but still, with that superstitious reverence for *forms* which ever attends neglect of the *substance*, declare that they may be invalidated 'if the formalities of consecration have not been duly observed!' Either answer will serve the purpose. If error in essentials is sufficient to invalidate Orders, we ask—had the Romish Church so erred when you separated from her? If she had, her own Orders were invalid, and she could not transmit yours. If she had not, as you all affirm that

nothing but heresy in fundamentals can justify *separation*, you are schismatics, and your *own* Orders are invalid.

What are the conditions on which the validity of Orders depends, or whether any thing can annul them* except some informality in ordination itself, our Anglican friends are very reluctant to state. That they do not insist on all those conditions of the Romish Church which made Chillingworth say, that 'of a hundred seeming Priests, it was doubtful whether there 'was one true one,' is certain; and it is equally certain that they are discreet in adopting such a course. The Fathers, indeed, often insist upon purity of life and integrity of doctrine as necessary to authenticate the claims of a successor of the Apostles; but it would not be convenient, with the ecclesiastical history of the middle ages spread out before us, to insist strongly on any such requisites; it being certain that in those ages there has been no lack of simoniacal, atheistical, and profligate Prelates; though, if simony, atheism, and profligacy will not annul 'holy orders,' truly we know not what will. The majority, therefore, seem to have determined that there is hardly any amount of doctrinal pravity or practical licentiousness which could repel the indwelling spirit of holiness—though, incomprehensible dogma! an error in the form of consecration may! Be it so. The chances are still infinite that there have not been flaws somewhere or other in the long chain of the succession—and though these may be few, yet as no one knows where the fatal breach may be, it is sufficient to spread universal panic through the whole Church. What Bishop can be sure that he and his predecessors in the same line have always been duly consecrated? or what presbyter, that he was ordained by a Bishop who had a right to ordain him? Who will undertake to trace up his spiritual pedigree unbroken to the very age of the Apostles, or give us a complete catalogue of his spiritual ancestry?

We can imagine the perplexity of a presbyter thus cast in

* Mr Gladstone thinks of nothing but the *forms*. He says, 'Again, with respect to the darkness of the middle ages, I apprehend that the high and even superstitious reverence then paid to the office of the priesthood, tells positively and most strongly in favour of the succession, because it thus becomes so much the more highly improbable that *forms so sacred* should have been neglected, that unauthorized intrusion should have been either permitted or attempted.'—Gladstone on *Church Principles*. (Chap. v. p. 236.)

See Tracts, No. 15, pp. 9, 10, 11, for some curious statements on this subject.

doubt as to whether or not he has ever had the invaluable 'gift' of Apostolical succession conferred upon him. As that 'gift' is neither tangible nor visible, the subject neither of experience nor consciousness;—as it cannot be known by any 'effects' produced by it, (for that mysterious efficacy which attends the administration of rites at its possessor's hands, is like the gift which qualifies him to administer them, also invisible and intangible,)—he may imagine, unhappy man! that he has been 'regenerating' infants by baptism, when he has been simply sprinkling them with water. 'What is the matter?' the spectator of his distractions might ask. 'What have you lost?' 'Lost!' would be the reply. 'I fear I have lost my apostolical succession, or rather, my misery is that I do not know and cannot tell whether I ever had it to lose!' It is of no use here to suggest the usual questions, 'When did you see it last? When were you last conscious of possessing it?' What a peculiar property is that of which, though so invaluable—nay, on which the whole efficacy of the Christian ministry depends—a man has no positive evidence to show whether he ever had it or not! which, if ever conferred, was conferred without his knowledge; and which, if it could be taken away, would still leave him ignorant, not only when, where, and how the theft was committed, but whether it had ever been committed or not! The sympathizing friend might, probably, remind him, that as he was not sure he had ever had it, so, *perhaps*, he still had it without knowing it? '*Perhaps!*' he would reply; 'but it is certainty I want.' 'Well,' it might be said, 'Mr Gladstone assures you, that, on the most moderate computation, your chances are as 8000 to 1 that you have it!' 'Pish!' the distracted man would exclaim, 'what does Mr Gladstone know about the matter?' And, truly, to *that* query we know not well what answer the friend could make.

It is true, however, that Mr Gladstone, in his *Church Principles*, proposes to remove any such perilous doubts as may arise from the *historic* difficulties against the doctrine of succession, (on which we have said the less, as they are so unanswerably, as we think, urged in our Article on his first work,*) by nothing less than mathematical evidence! It is a novelty to find him *reasoning* at any time; and mathematical accuracy is indeed more than we looked for. But it is a perversion of language, and an insult to the human understanding, to talk of mathematical evi-

* Art. on Gladstone's 'State in its relations with the Church.'—*Edinburgh Review*, Vol. lxxix. pp. 263–268.

dence in such a question. Though mathematical in form, the argument, treating it seriously and decorously, yields but a probable conclusion. By a novel application of the theory of ratios and proportion, he endeavours to show that, on the least favourable computation, the chances for the true consecration of any Bishop are as 8000 to 1. 'If it be admitted,' says he, 'that regular consecration was the general practice, but only insinuated that there may have been here and there an exception through neglect, say, for example, 1 in 500—for argument's sake let us grant so much; upon this showing, the chances for the validity of the consecration of every one of the three officiating Bishops in a given case are, :: 500 : 1. For the validity of those of two out of the three, :: $500 \times 500 =$ (sic) 25,000 : 1. For the validity of some one out of the three, :: $500 \times 25,000 =$ 12,500,000 : 1. If, however, this be not enough, let us pursue the numerical argument one step farther, and, instead of taking the original chances at 1 in 500, let us reduce them lower than perhaps any adversary would demand; let us place them at 1 in 20. On this extravagant allowance, the chances in favour of the validity of the consecration of a Bishop who receives his commission from three of the order, are only $20 \times 20 \times 20 = 8000 : 1$.* Be it so: this only diminishes the probability that, in any given case, the suspicion of invalidity is unfounded;—it still leaves the proposition untouched, that there is a probability that such invalidity exists, and, as no one knows where, the panic is not allayed. What is wanted, is a criterion which shall distinguish the *genuine* Orders from the *spurious*. Alas! who knows but *he* may be the unhappy 8000th? According to Mr Gladstone's theory, limited as his view of the subject is, no man in the Church of England has a right to say that he is 'commissioned to preach the gospel,' but only that he has $\frac{7999}{8000}$ parts of certainty that he is! A felicitous mode of expression, it must be confessed. What would be the fraction expressing the ratio of probability, on the supposition that simony, heresy, or infidelity, can invalidate *holy* orders, is—considering the history of the middle ages—far beyond our arithmetic.

But the difficulties of this puzzling doctrine do not end here. It is asked, how a man who is no true Christian, can be a true Christian minister? How he, who is not even a disciple of Christ, can be a genuine successor of the Apostles? Whether it be not

* Gladstone on *Church Principles*. Chap. v. pp. 235, 236.

impious to suppose that God has pledged himself to impart, by *inevitable necessity*, the gift of the 'Holy Ghost' to an unholy man—merely on the performance of external rites, and to qualify him for the performance of the functions of a purely moral institute, though still morally unfit? We can understand, it may be said, how, by the overruling Providence of God, a bad man preaching truth may do some good, if the hearer (a rare case) has both sense and honesty to separate truth from him who propounds it. But if he be ignorant of the truth, and preach 'pernicious error,' (as thousands so ordained have done,) we cannot conceive how his preaching can have the effect of truth, simply because he is 'commissioned.' Yet this, no less an authority than Mr Melville asserts, in language as plain as the doctrine itself is mystical.*

In like manner, if it be supposed that the sacraments are only external signs of affecting and momentous truths, and that the benefit derived from them still depends on the moral and spiritual dispositions of the recipient, we can understand that they may be beneficial even when he who administers them may be a bad man. In both the above cases, however, as the effect is a *moral* one, that effect will be proportionably diminished by the conviction of the worthlessness of the officiating Priest. This necessarily results from the laws of our moral nature. It is impossible to get the generality of men to revere that which their teachers practically despise; to obey precepts rather than imitate example. As all history shows, it is impossible long to maintain religion when the Priest is himself irreligious. But that, by a divinely-ordained necessity, some preternatural efficacy, itself certified by no evidence either of sense or consciousness, is conveyed through the minister merely *because* he has been episcopally ordained, (however wicked or worthless he may

* Mr Melville expressly affirms, 'If, whensoever the minister is himself deficient and untaught, so that his sermons exhibit a *wrong system of doctrine*, you will not allow that Christ's Church may be profited by the ordinance of preaching; you clearly argue that Christ has given up his office, and that he can no longer be styled, "the Minister of the true Tabernacle:" when *every thing seems against* the true followers of Christ, so that, on a *carnal calculation*, you would suppose the services of the Church stripped of all efficacy, then, by *acting faith on the head of the ministry, they are instructed and nourished, though, IN THE MAIN, the given lesson be FALSEHOOD, and the proffered sustenance little better than POISON.*

be,) and which is withheld when that ordination is wanting, (however worthy and holy he may be,) who can really believe? Nothing but the most express revelation; or the most undeniable effects, could attest it. And both the one and the other the advocates of the dogma are avowedly unable to indicate.

At these, and all other arguments, the supporter of the doctrine only shakes his head in awful warning, proclaims his horror of 'rationalistic' presumption, and asserts, that by implicit faith alone can it be received. In this we believe him.

But is it, can it be true that Christians will be content to receive these strange conclusions? Are they willing to sacrifice even charity itself to an absurdity? Powerful as are the arguments on all hands against this paradox, none is so powerful with us as this. The advocates of the Oxford system, when they are destitute of *arguments*, (which may be represented as their ordinary condition,) are fond of appealing to our moral feelings; if we do not *know*, they tell us we may *feel* the truth of a certain conclusion. Without being, we trust, in the same miserable destitution of argument, we would fearlessly adopt their course on the present occasion. We *feel* that if there were nothing else to say, there is no proposition in Mathematics more certain, than that a dogma which consigns the Lutheran, the Scottish, and indeed the whole reformed Non-Episcopal clergy to contempt, *however holy*; and which necessarily authenticates the claims of every Episcopal Priest, *however unholy*—must be utterly alien from the spirit of the institute of the New Testament.

2. Equally extravagant are the notions entertained by this School on the subject of the Sacraments. With them, they are not simply expressive rites, symbolical of religious doctrines, and capable of awakening religious emotion through the medium of the senses and the imagination;—they are themselves the *media* of a 'supernatural grace,'—exclusively communicated, however, through the Episcopally-ordained minister. This supernatural influence is supposed to be conveyed in every case, in which secret infidelity or open vice offers no obstruction on the part of the subject of the rite. It is supposed to be actually conveyed, therefore, in every case of *infant* baptism, (the subject being there incapable of offering any obstruction,) and to involve that stupendous and mysterious change, called in Scripture '*regeneration*;' and which surely ought to imply, if we consider either the meaning of the term, or the nature of the institute, a moral revolution equivalent to an absolute subjection to the law of Christianity. In the eucharist, it is supposed that infidelity or unwor-

thiness in the recipient may obstruct the 'preternatural grace,' which nevertheless is, as it were, flowing through the Priest, and permeating the elements. Such a state of mind may operate as a sort of non-conductor to the ethereal and subtle influence. Meantime, it is most strange that this 'preternatural grace,' which is represented as so scrupulous, has no objection to reside with the Priest, and act in, and by him, even though he should be, morally, ten thousand times worse than those to whom the rite is administered!

The doctrine of 'baptismal regeneration,' is indeed held by many men who are far from approving of the Oxford movement. With the peculiar, yet, we must be permitted to think, consistent audacity of the new School, its advocates have carried it out to its uttermost extravagance.

It probably will not be doing injustice to the generality of the disciples of this School, (though they do not conceal that there are some differences,) if we further state, that their sentiments on the subject of the Sacraments are pretty generally represented by those of Dr Pusey and Mr Newman. The former contends that not only is the dread mysterious change called 'regeneration,' effected in every case of baptism rightly administered; but that there is no certain hope of the pardon of sin fully committed after it;* and that he who has once so sinned, must live in perpetual and trembling doubt of his final safety. If so, one would think, that as Scripture assuredly has no express command on the subject, these men would be disposed to postpone the rite of baptism to a late period; instead of administering it to those who as yet have no sins to repent of, and leaving them to sin (as they assuredly must) with the knowledge that the only plenary antidote was improvidently wasted before they were permitted to have a voice in the matter. One cannot wonder, that if this doctrine be true, thousands in the much admired Church of the age of Chrysostom and Ambrose, should have thriftily put off the performance of this wonder-working rite to the very last extremity. Only think of the sys-

* 'The Church,' he says, 'has no second baptism to give, and so she cannot pronounce him (who sins after baptism) altogether free from his past sins. *There are but two periods of absolute cleansing, baptism and the day of judgment.*'—(Letter to Bishop of Oxford, p. 93, 4th Edition.)

If, 'after having been washed once for all in Christ's blood, we again sin, there is no more such complete absolution in this life—no restoration to the same state of undisturbed security in which God had by baptism placed us.'—(See also Tract No. 80, p. 46.)

tem. A child is baptized when a few days old; he commits a mortal sin when he is (say) sixteen years of age; he lives to ninety; and with the New Testament and its numberless promises in his hand, he is to spend nearly eighty years in perplexity and anguish, and die in doubt at last, though truly penitent, devout, and consistent; because somebody applied the baptismal water before he had any voice in the proceeding! But further, as all have committed sin after baptism, all are in the same predicament, and can entertain but a trembling hope of heaven! Can Christian men and women believe this hideous system to belong to the *Gospel*?

The difficulties of this subject have constrained Dr Pusey to make the convenient Romish distinction between *venial* and *mortal* sins; although in the case of those who *have* committed 'mortal' sin after baptism, he has not been able to hit upon a method half so sure and satisfactory as the 'penances' and 'indulgences' of Rome. In fact, Dr Pusey does not see his way clear to any remedy. The doubt and the anguish are part of 'the bitterness of the ancient medicine.'*

Again, with their peculiar views of the exclusive prerogatives of the episcopally-ordained Priest, they deny the validity of all baptism but their own; and in defiance of the law of their own Church, and of decency, charity, and common sense, often refuse to inter an infant who has not passed under their own patent process of regeneration. The consequence is, that they throw doubt (and many of them do not scruple to avow it) on the final state of the myriads of unbaptized infants.† Whether they

* 'What the distinction between lesser and greater, *venial* and *mortal* sins? or if *mortal* sins be "sins against the Decalogue," as St Augustine says, are they only the highest degrees of those sins, or are they the lower also? *This question, as it is a very distressing one, I would gladly answer if I could or dared.* But as with regard to the sin against the Holy Ghost, so here, also, *Scripture is silent.* I certainly, much as I have laboured, have not yet been able to decide any thing. Perhaps it is therefore concealed, lest man's anxiety to hold onward to the avoiding of all sin should wax cold. But now, since the degree of *venial* iniquity, [what is *venial* iniquity?] if persevered in, is unknown, the eagerness to make progress by more instant continuance in prayer is quickened, and the carefulness to make holy friends of the mammon of unrighteousness is not despised.'—Pusey, cited by M'Ilvaine. See also Letter to Bishop of Oxford, p. 83, 4th Edition.

† 'But I will rather suggest the consideration of the vastness of the power claimed by the Church—a power which places it almost on a level with God himself—the power of forgiving sins by wiping them out in

are, as some of the Fathers believed, neither happy nor miserable—consigned to a state of joyless apathy, or condemned to eternal suffering—we are all, it seems, in the dark. We may hope the best, but that is all the comfort that can be given us. To a Christian contemplating this world of sorrow, it has ever been one of the most delightful sources of consolation, that the decree which involved even infancy in the sentence of death, has converted a great part of the primeval curse into a blessing, and has peopled heaven with myriads of immortals, who, after one brief pang of unremembered sorrow, have laid down for ever the burdens of humanity. It has been the dear belief of the Christian mother, that the provisions of the great spiritual economy are extended to the infant whom she brought forth in sorrow, and whom she committed to the dust with a sorrow still deeper; that he will assuredly welcome her at the gates of Paradise, arrayed in celestial beauty, and radiant with a cherub's smile. But all these gloriously sustaining hopes must be overcast in order to keep the mystical power of 'regeneration' exclusively in the hands of the Episcopal Clergy. All charity, all decency, all humanity, as well as common sense, are to be outraged, rather than the power of conferring some inconceivable 'nonentity' should be abandoned.

As to the Eucharist; if the doctrine of the Oxford School, especially according to the latest 'development,' be any thing less mysterious or more intelligible than the Romish doctrine of Transubstantiation, we confess we cannot perceive it. That there is some great ineffable change wrought by the formulas of consecration, we are expressly told, but what, is not explained.*

baptism—of transferring souls from Hell to Heaven, without admitting a doubt of it, as when "baptized infants," it is said, "dying before they commit actual sin, are undoubtedly saved."—Sewell's *Christian Morals*, p. 247.

* See Mr Newman on Art. XXVIII., Number Ninety.

'As regards the Holy Communion,' says even Mr Gladstone, 'our Church . . . does not feel that the solemn words of the institution of the Eucharist are adequately, that is, scripturally, represented by any explanation which resolves them into mere figure; and she fears lest the faithful be thus defrauded of their consolation, and of their spiritual food.'—Gladstone's *Church Principles*, p. 161.

Again—'There is no one passage in the New Testament which alludes to the Eucharist at all, which is otherwise than most naturally consistent (to say the least) with the idea of its mysterious and miraculous character.'—*British Critic*, July 1842, p. 73.

Again—'What is the meaning of the popular phrase, "the age of

On the alleged mysterious efficacy attending the administration of the Sacraments at the hand of the privileged priesthood, (what their personal character is, it appears, little matters,) similar observations may be made as upon the mysterious 'gift' handed down in ordination from hand to hand? What is it? Is it any thing which can be distinguished from a nonentity, —seeing that it is not cognizable by sense, consciousness, or experience? Take baptismal regeneration, for example. What is imparted—what effected? If any change be produced, it surely ought to be stupendous, in order to justify the application of such a term; and it surely ought to be *moral*, for moral excellence is the design of the whole institute. Yet we look in vain for any such effects, or rather for any effects at all. Millions of the infants thus annually regenerated, present in all respects just the very same qualities—physical and moral—with those who have not been subjected to the process. Visibly do they grow up, neither wiser, nor holier, nor better than the less fortunate infant who has been subjected to the unavailing baptism of the Presbyterian minister, or to no baptism at all. Here an amazing spiritual revolution, to describe which metaphor and hyperbole are exhausted, is supposed to be effected, which yet leaves absolutely no traces behind it—whether physical or moral. Nothing less than Omnipotence is introduced to effect that, of which, when effected, we have not the slightest evidence that it has been effected!

Such mysteries as these, if received at all, must be received just in the same manner, and for similar reasons, with the doctrine of Transubstantiation; and we cannot wonder that those who have no scruple in receiving the one, should adopt views inde-

miracles?" Is there all the difference, or, indeed, any thing more than the difference between things seen and unseen, (a difference *worth nothing* in faith's estimate)—between healing the sick and converting the soul—raising man's natural body and raising him in *baptism* from the death of sin? Is the wonder wrought at the marriage of Cana a miracle, and the change which the holy elements undergo, as consecrated by the priest, and received by the faithful, no miracle, simply because the one was perceptible to the natural eye, while the other is discerned by the spiritual alone?—*British Critic*, Vol. xxvii. pp. 259, 260.

This transcends all. We always thought that the very essence of a miracle consisted in its appealing to the senses of those in whose presence it is wrought. 'It is wrought in their presence,' virtually says this writer, 'and is as wonderful a miracle as raising the dead, only you cannot see it—a difference worth nothing in faith's estimate.' For similar doctrine see *Tract 85*, p. 95.

finitely near the other. In both cases we are called upon to believe that a stupendous change has, in millions of instances, been effected, without any evidence that there has been any, or rather with all the evidence that our nature is susceptible of, that there has been none. In Transubstantiation, we are commanded to believe that a great *physical* change has been wrought, of which our senses give us no information; and, in baptismal regeneration, that a great *spiritual* change has been wrought, of which both consciousness and experience give us just as little.

But as was said of Apostolical succession, so we may say of the 'sacramental doctrine' connected with it, that no *mere arguments* can be more conclusive against it, than the feeling that it shocks the whole spirit of the Christian institute.

3. But perhaps this consciousness is more strongly felt in relation to the views held by this School respecting the Church, than in relation to any other subject. According to these men, the Church of Christ is *VISIBLE* and *ONE*; and as the Church can exist only where 'the gospel is truly preached, and its ordinances are duly administered,' while these are exclusively and inseparably connected with an episcopally-ordained clergy; they deny the name and privileges of the Church to every community in which such a ministry is not found, and as freely concede them wherever it is.* Apparently, scarcely any pravity of doctrine, any flagitiousness of practice, is sufficient to annul this title where these channels of preternatural grace are found—no purity of doctrine, no blamelessness of conduct, can justify its application to a community in which they are not found. But as this Church is also *ONE*, it might be supposed an insuperable objection that the Romish, Greek, and

* 'Do not we hover about our ancient home, the home of Cyprian and Athanasius, without the heart to take up our abode in it, yet afraid to quit the sight of it; boasting of our Episcopacy, yet unwilling to condemn separatism; claiming a descent from the Apostles, yet doubting of the gifts attending it; and trying to extend the limits of the Church for the admission of Wesleyans and Presbyterians, while we profess to be exclusively primitive? Alas, is not this to witness against ourselves like coward sinners, who hope to serve the world without giving up God's service?'—'Whatever be our private differences with the Roman Catholics, we may join with them in condemning Socinians, Baptists, Independents, Quakers, and the like. But God forbid that we should ally ourselves with the offspring of heresy and schism, in our contest with any branches of the Holy Church which maintain the foundation, whatever may be their incidental corruptions!'—(*Oxford Tracts*, Vol. II.; *Records of the Church*, No. XXV. pp. 3, 8, 9.)

English Churches—which are acknowledged to be ‘branches’ of the *true* Church, but which all exist in a state of professed separation from one another, nay, which have reciprocally anathematized one another—must be proved to be *ONE*. One would imagine that *UNITY* in any community, must imply unity of government and jurisdiction; intercommunion of its members, or at the very least, perfectly friendly relations between its several ‘branches.’ And so Mr Gladstone seems at first to admit; but he afterwards discovers, when it is convenient to discover it, that union in the Church by no means requires as one of its essential conditions, ‘the consciousness (?) and actual or *possible* communication of the persons united.’

It would sadly perplex any ordinary understanding to comprehend how communities can be one, which are not only hostile, but mutually excommunicate. If unity may still be preserved in such a case, it would really seem that there *might* be devised some reasonable way in which Episcopalians and Presbyterians might be regarded as *one*. An unsophisticated mind would imagine, that if unity is not impossible amongst those who respectively acknowledge the Thirty-nine Articles and the Tridentine Decrees, it should be not altogether impossible for those who acknowledge the Thirty-nine Articles and the Confession of Faith, to find one Church large enough to hold both. But such a man would only show his ignorance of theology. The terms of communion must be wide enough to embrace the whole Churches of Greece and Rome, for they have the Apostolical succession; but not a single Lutheran or Presbyterian community, for they have it not.

Hence the fraternal yearnings of our Anglicans towards the Greek and Romish Churches. Hence the language recently quoted, ‘that it is evident at first sight that there is much ‘grace and many high gifts’ in each of these communions—hence the declaration, equally arrogant and insulting, cited in the preceding note from the Oxford Tracts—hence the lamentations over the Reformation as an untoward event, and all but ‘a fearful judgment’*—hence their eagerness to show,

* *British Critic*, No. 59, p. 1.—‘We trust, of course, that active and visible union with the see of Rome is not of the essence of a Church; at the same time we are deeply conscious that in lacking it, far from asserting a right, we forego a great privilege. Rome has imperishable claims on our gratitude, and, were it so ordered, on our deference . . . for her sins, and our own, we are estranged from her in presence, not in heart.’—*Ibid.* p. 3.

though at the peril of exposing their own Church to the charge of having been guilty of a detestable schism, that the differences between England and Rome are far from being so momentous as those between Anglicans and other Protestants—hence it is that we see them stretching themselves half over the gulf which separates them from Popery, to the infinite hazard of toppling into it, for the purpose of touching only the tips of the fingers of their new friends and allies. But it will not do; as long as the *separation* itself is continued, their arguments will all be futile. Either that separation was justifiable or not; if it was, then are the churches of Rome and England two communities, not one—and Rome heretical; if not, still they are two communities, and not one—and that of England schismatical. If the latter be the fact, let those who maintain these views act like men of sense and honour—return to the bosom of the Romish Church, and not only subscribe, but carry out, the following declaration of the Editors of the ‘*Ecclesiastical Almanac*’ for the present year: ‘It is by the constant action of this principle, as upon our theological opinions so upon our RITUAL and CEREMONIAL, and indeed upon every branch of our religious life, that we may hope to prepare ourselves for that union for which we sigh, and which we are so far privileged as to be permitted to hope for, and even to begin to look forward to. For this who would not pray and labour as for an *end*, before which all other objects of desire sink into infinite insignificance? For these poor pages, at least, the motto has long been chosen, and must be year by year repeated. God grant it may ever be its sole aim to HASTEN THAT UNION, AND RENDER OURSELVES WORTHY OF ENTERING INTO IT.’*

Meantime, is it not wonderful that those who are astute enough to discover that the Romish, Greek, and English Churches all form constituent parts of *One Visible Church*, merely in virtue of holding Apostolic succession and kindred Church principles, should not recoil at the bigotry of *unchurching* all the Reformed Churches of the Continent—the Church of Scotland, and the communities of dissenting Protestants! But here, again, the Oxford men are but carrying out their views consistently, however absurdly. The Bishop of London, indeed, naturally shocked at the uncharitableness of the above views, has, in his ‘*Three Sermons on the Church*,’ entered his protest against them. We only regret that he has protested on principles which, whatever respect

* *Ecclesiastical Almanac*, 1843, p. 5.

we may feel for his charity, leave us little room to congratulate him either on his consistency or his logic. It is hopeless to contend against the Oxford men on the principles which his Lordship has laid down. He does not escape from one of the real difficulties in which the hypothesis of Church principles involves him, and is, in effect equally uncharitable. For how does this *Probate* argue? He affirms that *ordinarily*, Episcopacy, and an Episcopally-ordained ministry, are essential to the constitution of a true Church; but hesitating at the thought of consigning all the foreign Reformed Churches to 'the uncovenanted mercies of God,' as no part of the true Church of Christ, he frames for them a special exception, on the ground that their *individual members* have no choice, (there being no Episcopal Church to which they can join themselves;) while he consigns the Dissenting communities at home to the said 'uncovenanted mercies,' or to no mercies at all, (as the case may be,) because it is their duty to join the Church of England. How they can do so, if they conscientiously believe they *ought* not; and whether his Lordship, in saying they can and ought, be not constituting himself a judge of conscience, it may be wise in him to consider. But let that pass. It is plain, that on his Lordship's principles the foreign Reformed Churches are no true Churches; for though it is true that *individual members* of those Churches may not have had an opportunity of availing themselves of the inestimable advantages of 'apostolical succession;' the churches themselves, (of which, and of which alone, his Lordship is professedly speaking,) considered as entire communities, *have* had the opportunity any time within the last three centuries. They are therefore, as communities, no true Churches, however charitably his Lordship may be supposed 'to hope' respecting individual members. But we will further try his Lordship's test by an additional instance, which he has done wisely to keep out of sight, although it lay at his very door. We ask, 'Is the Church of Scotland a true Church?' If his Lordship answer in the affirmative, it must be for *some* reason: it cannot be because she embraces Episcopacy, for she repudiates it; it cannot be because she could not have effected reunion with the Episcopal Church, had she been so pleased;—nay, she has not only had Episcopacy offered, but thrust upon her, and has, doubtless, deeply sinned in wilfully rejecting it. It can then only be on the ground of her being established. But then a totally different criterion of a true Church is at once admitted; will his Lordship affirm that every Church *established* is a true Church? If, on the other hand, he says that the Scottish Church is *not* a true Church, then, for aught we can see, he may just as well go the whole

length of his censured, but more consistent brethren of Oxford. We will submit another case to his Lordship, still near home. Let us cross the Irish Channel. Is the Romish Church there a true Church, and entitled to the allegiance of the people?—if not, it appears that it is possible that the criterion of an Episcopal ministry may fail; if it be, then it is at least as much entitled to a rightful obedience as the Anglican Church. If his Lordship says, No, because it is not *established*, he again introduces a criterion of a true Church inconsistent with his theory. Such are the inconsistencies in which this Prelate is involved. We thank him for his charity; but we cannot be content to hoodwink ourselves to palpable absurdities and inconsistencies, even in order to be charitable; and can only regret that he did not ‘find out a ‘more excellent way’ of rebuking that bigotry at which he is naturally shocked, and which we once more say, is a stronger argument against the errors of the Oxford school than any, or all besides. God forbid that we should deny the member of any community—Episcopalian, Presbyterian, or Independent, who holds the essential doctrines of Christianity, and is manifestly animated by its spirit—to be a member of the true Church! We feel that whom we dare not deny to be a ‘Christian,’ we dare not deny to be a member of Christ’s Church. We feel that the saying of Robert Hall commends itself at once to common sense, to the highest reason, and to the noblest instincts of our moral nature—‘he who is good enough for Christ, is good enough for me.’

Views so extraordinary as those on which we have commented—so unsupported by reason and so destructive of charity—ought surely to be authenticated by the clearest utterances of Revelation. Even then, it may perhaps be said that their reception would present greater difficulties than ever yet troubled an infidel; but strange to say, it is admitted by their very advocates, that one of the greatest difficulties connected with these doctrines is the *prima facie* evidence of Scripture against them; that they are not at all events on the *surface* nor explicitly stated, but are to be *developed* out of mysterious hints and ambiguous whispers.* Further, the very *texts* on which they exhaust every art of exegetical torture to make them speak their mind, sound, when thus interpreted, so cold, constrained, and frigid, that they acknowledge, again and again, that these doctrines cannot be established by Scripture alone; and they therefore discreetly call in the authoritative voice of tradition.

* No. 85. *passim*.

4. It is, then, a further dogma of this School, that the Scriptures are not the sole, or a perfect rule of faith; that they are to be *supplemented* by tradition; that they furnish at best but the germ of an imperfectly developed Christianity—which is to be found full blown and perfect somewhere, (no one can tell where,) in the third, or fourth, or fifth, or sixth century, or some century still later; and that the Fathers have much to tell us of undoubted apostolical authority, which the Apostles themselves have failed to tell.

Infinite are the disputes which such a theory instantly gives rise to. In essence and principle it in nowise differs from that of Rome, (for it affirms both a *written* and an *unwritten word*;) it differs only in the pleasant and gratuitously perplexing addition, that it is impossible to assign the period within which the circle of Catholic verities may be supposed complete—the period when the slowly developed church-system became ripe, but had not yet become rotten. The unity of faith which is thus sought, is farther off than ever; for the materials of discord are enlarged a thousand-fold.

1. There is the dispute as to whether there be any such authoritative rule of faith at all; and this alone promises to be an endless controversy.

2. Even if we were to admit the possible existence of such a rule, the uncertainty in its application would preclude the possibility of its being of any use.

3. Even if men in general are told that they need not enquire for themselves, but just receive what their 'authorized guides' choose to tell them, private judgment is still pressed with insuperable difficulties; for alas, we find that the 'authorized guides' themselves, in the exercise of *their* private judgment, have arrived at very different conclusions as to what is Catholic verity, and what is not. It is very easy for Mr Newman to talk in magniloquent phrase of that much abused abstraction, the 'Church;' and to represent his system of 'Church principles' as one and complete in every age. But when we enquire *which* is that Church, *what* are the doctrines it has delivered as the complete circle of verity, and who are its infallible interpreters, we find those whom these authorized guides proclaim *equally* authorized, at endless variance;—Romanists, Greeks, and Anglicans, differing in judgment from each other, and from themselves. In a word, we find the 'Church' is just Mr Newman or Dr Pusey—not unbecomingly disguised in the habiliments of a somewhat antiquated lady, and uttering their 'private judgments' as veritable oracles. What can one of these 'guides' say to 'a brother guide,' who declares, 'I adopt your principles, and

‘it appears to me and many others, that on the same grounds on which you contend for the apostolical succession—that is, on the authority of the ancient Church—I must contend for the celibacy of the clergy?’ Or to another who declares, ‘on our common principles I think there is good reason to admit the invocation of saints, the worship of images, the doctrine of the efficacy of holy relics, the monastic institute, to be of apostolical origin?’ Or to another, ‘it appears to me that the doctrine of purgatory is but a *development* of the doctrine which justifies prayers for the dead?’ Or to another, ‘you will not go beyond such and such a century in determining your Catholic orthodoxy; I think the limit ought to be fixed a century later, or two centuries, or three?’ What can he reply? He may perhaps say, ‘We can show when your doctrines came in.’ ‘Ah!’ he replies, ‘so it appears to *you*; but it appears to *me*, that on the same principles another person may show when *your* favourite doctrines came in; for I do nothing more than adopt your principles of “expansion” and “development”—of improving “hints,” of harmonizing apparent contradictions, and so on; and my doctrines are thus brought out as clearly as those for which you contend. There is no greater apparent discrepancy between my favourite doctrine and those of the Fathers of the third century, than there is between those you extract from the Fathers of the third century and the Scriptures.’ ‘But *we* decide otherwise.’ ‘But who are *we*?’ is the instant and scornful reply.

Such is, in fact, the inevitable course which the controversy is taking; till at last thousands of Anglicans are contending for the system of the fourth or fifth century, and even there feel that their footing is insecure.

This variety of result is inevitable 1. The very elements from which this Catholic system of theology is to be collected, are in a great degree doubtful;—intermixed with forgeries; disfigured by interpolations, erasures, mutilations; so that it has transcended all mortal skill to settle the patristic canon. 2. What one man receives as genuine, another rejects as spurious; and endless is the controversy as to which is right. 3. The works themselves, spurious and genuine, are most formidably voluminous, written in different languages, and each of them *dead*. 4. They contain much of universally acknowledged error, and a pleasing assemblage of obscurities and contradictions. 5. Some are dark with curious subtleties, and others as much disguised by rhetorical exaggerations. 6. Owing to these and other circumstances, it is possible for very different controvertists to prove from them very different conclusions, and to wage an interminable war of citations

and counter-citations. The Romanist brings forward a citation:—‘you are to consider the rhetorical mode of reasoning of these ‘venerable men,’ exclaims the Protestant. The Protestant countercites—‘you are not to forget,’ says the Romanist, ‘that ‘it was said in the heat of controversy, when it is so natural to ‘deal in unlimited propositions.’ The Romanist is ready with another; ‘the writing is not genuine—most probably a forgery,’ shouts the Protestant—‘all critics allow it to have been at least ‘grievously interpolated.’ To a fourth it is said, ‘it is an interpolation of the Greeks.’ To a fifth, ‘it was foisted in by the ‘Latins.’ To a sixth, ‘the passage is corrupt; there are five ‘different readings, and twice as many renderings.’ To a seventh, ‘it is a contradiction only in appearance; we can easily ‘harmonize the statement.’ To an eighth, ‘though it be only a ‘hint, you are to consider the “reserve” of the early Church.’ To a ninth, ‘true, that passage says so, but here is another ‘from the same author, directly in the teeth of it:’ and so on for ever.* Such is the unity to which the guidance of tradition has ever led, and will ever lead us; and of this the present controversies—the goodly array of books which stand at the head of this article—and the many others which might be added to them, afford a signal and irrefragable proof. Unity! Babel itself is but a faint image of this ‘confusion of tongues.’

But the advocates of tradition profess to have discovered an unfailing directrix in all difficulties, in the far-famed rule of Vincentius Lirinensis—that we are to believe what has been delivered EVERY WHERE, ALWAYS, and BY ALL: ‘QUOD SEMPER, QUOD UBIQUE, QUOD AB OMNIBUS TRADITUM EST.’ This rule sounds plausible, but on examination will be found to involve, for reasons already hinted, most complicated difficulties in its application; and is about as serviceable as a certain guide-post, which assured the traveller that when it was *under* water, that road was impassable. This, however true, would not prevent his being drowned before he made the discovery. When we come to examine the rule, we find that if we take it *without* limitations it is a manifest absurdity; and if we take it with

* The Archbishop of Dublin has well illustrated this subject:—‘The mass of Christians are called on to believe and do what is essential to Christianity, in implicit reliance on the *reports* of their respective pastors, as to what certain deep theological antiquarians have *reported* to them, respecting the *reports* given by certain ancient Fathers, of the *reports* current in their times concerning Apostolical usages and institutions.’

all the limitations it requires, it becomes as manifest a nullity ;—not to mention that, at the very least, it leaves open the question who is to determine what has been thus delivered ‘ always, every where, and by all ? ’—a question not very easy of solution, when we reflect that both Romanists and Anglicans profess to receive it, and yet reach widely different results.

But to consider the rule itself. We will not here refine, as some have done, and say that it is ambiguously expressed ; that it *may* be so interpreted as to imply that we are to receive all that has ever been delivered for truth ; in a word, that we are to believe error and truth, heresy and orthodoxy, contradictions and paradoxes—such a creed as may well be supposed too much for even a Montanist or a Marcionite. We will take it for granted that it means, that that *only* is to be received for Catholic verity which has been affirmed by all conjointly, at all times, and every where. But taken even in this sense, we have, at the very outset, a notable instance of what is called reasoning in a circle. For when it is asked—‘ Is the word “ all ” to be taken absolutely ? ’ The answer is—‘ By no means. ’ ‘ Who are the “ all ” then ? ’ Answer—‘ The Orthodox alone. ’ ‘ And who are the Orthodox ? ’ ‘ Those who hold what has been delivered by “ all. ” ’ This is limitation the first. But now, let us suppose this difficulty evaded by some subterfuge, and the authorities to which appeal is to be made otherwise determined. We proceed to ask then—does this rule mean, that whatever is delivered for truth must be expressly asserted by all whom the advocates of the rule itself invest with a vote ? Are we, for example, to look for the whole circle of affirmed Catholic verities in the writings of each of the apostolical Fathers ? ‘ No ; ’ must be the reply, ‘ it is sufficient that they do not contradict them. Their silence must be supposed ‘ to give consent. ’ To this it might be replied, that this is at once to abandon the rule, or rather to take for granted the very thing to be proved ; while we have a sufficient explanation of the silence of these earliest Fathers in the fact, that it was impossible for them to anticipate, and therefore to condemn all the absurd innovations and corruptions which after ages would bring in. They were no prophets ; Clement could not anticipate the vagaries of a Tertullian, nor Polycarp predict those of an Origen ; any more than Cranmer could have supposed that such a peculiar logician as Mr Newman would, at the distance of three centuries, arise to prove that the Articles might be explained away. This, then, is limitation the *second*. It is *not* necessary that all that we are to believe should be expressly affirmed by all who are included in the circle of authorities ; that is, we are to believe much which *non ab omnibus traditum est*. But if the

supposed argument drawn from their silence be of any avail, then let us consider with what weapons we are to combat the Romanist, who is continually playing off against us the very stratagem. Why may not *he* urge, on behalf of transubstantiation, (which undoubtedly for many ages could boast the *ubique et ab omnibus*,) the same apology for the silence or the ambiguous utterances of earlier Fathers, as our Anglicans urge for many of those novelties which are not to be found in the Apostolical Fathers? To both or neither is the course open—to say that Christianity was a gradually developed system; that it does not appear in its perfect proportions till some ages after the Apostles had gone to their rest; and that we are not to wonder that many Catholic verities are very slightly noticed, or not at all, in the earliest age. Thus these parties may endlessly refute each other, but mean time, by that very dispute the boasted rule is shown to be a nullity. But if we are to believe nothing but what is affirmed BY ALL, AT ALL TIMES, EVERY WHERE, then any one of those whom they themselves challenge as orthodox, will do as a standard as well as the rest—Clement of Rome, for example. If they say, ‘True, but nevertheless there are many things which, though he did not assert, he *would* have asserted had he written about them, or thought of it,’—this is again to abandon the rule, and to substitute conjecture for it. If it be said, we imagine all believed these things, because later writers generally testify they did, we again reply, this is to imagine and not to prove, and will do as well for the Romanists as for you; for of course each succeeding age will take care to authenticate its own corruptions; and, right or wrong, vouch for its predecessor. Thus, if we may believe the Papists, Peter was first Bishop of Rome; and if the Oxford Tractists, prayer for the dead is an Apostolical tradition. But we come to a third limitation. When we ask—‘But is it true that the dissent on *any* point, on the part of any one of those whom you deem in the main orthodox—as Clement of Alexandria, for example—is sufficient to invalidate that article?’ The answer is—‘No, certainly;’ but then what becomes of your *quod ab omnibus*? for there is hardly an article, (if we except those great fundamental truths, which we can at once extract from the Scriptures without any thanks to these worthies)—there is hardly one of the opinions which you peculiarly patronize but is denied by some of them. Answer—It is not necessary that Catholic verity be asserted by all absolutely, but only by the ‘greater part.’ Limitation the *third*;—set down, then, that *omnes* means the ‘greater part.’ But we have not yet half done with the difficulties of the rule: we here come to a curious problem of limits. It is said that it is not necessary that each article of faith should be

admitted by all those who are included in the circle of authorities, but only by 'the greater part.' Pray, how much 'greater' is this 'greater part' to be? Will a bare majority of one, or two, or three, or half-a-dozen, or half a score, be sufficient? or if not, of how many? What is to be the ratio of suffrages which shall determine *that* to be Catholic truth, which otherwise would be no truth at all? And if the judgments of different men differ as to what this ratio ought to be, (as they needs must, where there is nothing but caprice to determine them,)—who is to be the judge as to whose judgment is to be received? Even supposing that impossible point decided—who is to be the judge as to what opinions have or have not the requisite majority of authorities to back them? But yet again, if a bare majority, or any thing short of unanimity, will be sufficient, are you prepared to receive any of those doctrines or usages which are sustained by an *equal* majority, with any one of those you enjoin upon our belief? If so, this precarious rule will compel you to go much further than you have hitherto gone—if not, you have gone much too far. The doctrine of the Millenaries, now universally abandoned, and explicitly condemned by you; the administration of the Eucharist to infants; the celibacy of the clergy; the monastic institute; superstitious reverence for relics; the worship of the saints; the monkish miracles; and what would be quite as hard for *you* to digest, the popular election of Bishops and their voluntary support, can plead *as large* an amount of authority to sustain them, as many of those tenets which you enjoin upon us. He who wishes to see this subject fully handled may consult Mr Isaac Taylor's able and elaborate work, entitled *Ancient Christianity*, on which we shall presently offer a few remarks. He plies the Oxford Tractists with this argument very fairly, and shows, in our judgment conclusively, that they are shut up to one of two courses; either to *develope* their system much further, (for which, if we may judge by recent demonstrations, they are fully prepared,) or retrace their steps to the principles of the Reformation.

Once more; as it is a part of the rule that what we are to believe must have been not only universally received, but *always*, that body of truth must have been as perfect in the earliest times as the latest; there is, therefore, no occasion to go lower than the first age—that is, to the Scriptures themselves, and honestly to apply the rule to them. That the truth was subsequently received by greater numbers, or was more widely diffused, is nothing to the purpose, and does not affect its integrity. The base of a pyramid may be enlarged; but as every section of the pyramid parallel to it, cuts off a precisely similar pyramid, so if the body of doctrine we are to receive has been *always* the

same—it was just the same in the Apostolic age as in the fifth century, or in our own, and we may as well stop there. Thus a perfectly fair application of this much vaunted rule, issues most unexpectedly, but most legitimately, in allowing us to defer to the exclusive authority of Scripture; and with this fresh limitation we are willing to abide by it. The Apostles shall be our *omnes*, their writings our *ubique*, and their age our *semper*. ‘But,’ says the Anglican, ‘though it is true that the body of truth has always been the same, and is therefore entire in the Scriptures, it is not on the *surface* there—it is five hundred fathoms deep—it must be *developed*; they contain but hints which require *expansion*.’ In the first place this is begging the very question; and in the next place, it is just what the Romanists tell us, who, adopting the very same rule, and using no greater artifice of *expansion*, ‘expand’ the system of the Scriptures into the system of Trent.

But further still; will these imitators of Rome, in borrowing Rome’s own rule, apply it fairly to *all ages* of the Church? Will they take the *semper* absolutely? ‘No, by no means,’ is the reply; ‘for how should we confute the Romanists, who truly allege that during many ages doctrines have been professed, universally and by all, which *we* deny?’ What then, we ask, is your *semper*? Within what limits is *always* to be confined? ‘That question does not admit of an answer,’ says Mr Newman; ‘we had better not perplex ourselves with it: “the era of purity” cannot be determined within less than 400 years; it was not “much earlier than the Council of Sardica, A.D. 347, nor so late as the second Nicene Council, A.D. 787!”’ What a curious solution of a historical problem, which brings us somewhere within 400 years of the truth, and leaves the rule of Vincentius of uncertain application, within that very period in which the doctrines and practices were *developed* on which the very gist of the controversy depends! However, as limitation the *last*, let it be noted that *semper* means not *always*, as some foolish people imagine; but some time between 347 and 787 years.

Thus the rule which Vincentius Lirinensis has delivered with so much gravity and solemnity, amounts to this—that we are religiously to receive all doctrines, which some unknown persons have, in some undetermined places, delivered for truth at some uncertain periods! But the rule becomes yet more flagrantly absurd, as less epigrammatically delivered by himself. It then sinks into the most contemptible of truisms; for he takes care, as Daillé has remarked, to fence his proposition with so many limitations, that if they could but be all complied with, he must be an infidel indeed who would refuse assent to it. He tells us in his own inimitable style, that ‘he speaks not of any authors, but only of

‘such as having piously, wisely, and constantly lived, preached, and persevered in the Catholic faith and communion, obtained the favour at length, either to die faithfully in Christ, or else had the happiness of being crowned with martyrdom for Christ’s sake;’ he further adds, ‘that we are to receive as undoubtedly true, certain, and definitive, whatsoever all the aforesaid authors, or at least the greater part of them, have clearly, frequently, and constantly affirmed, with an unanimous consent, receiving, retaining, and delivering it over to others, as it were jointly, and making up all of them but one common and unanimous council of doctors.’ Whence it appears, as Daillé has fully shown, and not without a touch of humour unwonted in him, that ‘all that Vincentius here promises us is no more than this, that we may be sure not to be deceived, provided that we believe no other doctrines save what are holy and true.’ This promise of his is like that which little children are wont to make, when they tell ‘you that you shall never die if you but always eat.’ So that to the enquiry—‘What is the Catholic faith?’ it appears that we are at liberty to reply that it is the doctrine of those who have *‘piously, wisely, and constantly lived, preached, and maintained to the death—the Catholic faith;’* or, at all events, of the *greater part* of such. A truly cautious conclusion!

Nothing can be more ridiculous than the extravagant claims which our modern lovers of antiquity prefer on behalf of the Fathers. It is true that Mr Newman, by way of obviating the argument arising from their unspeakable weaknesses and extravagances, assures us that it is not their individual authority, but their concurrent testimony, to any point of doctrine and ritual, which sanctions it as of Apostolical origin. But then, as it is difficult to say how far it may be necessary to draw upon these holy men, or how far their poor credit will serve to give currency to the preposterous doctrines for which they are made responsible, it is as well to accredit as much of their worthless paper as possible. If there be a concurrence of a majority, their authority is then infallible; if only of a considerable number, the most egregious puerility ceases to be such; while the opinion only of one, though it may appear downright craziness to common sense, is to be treated with silent veneration. Throughout the Oxford Tracts, and more especially in Number Eighty-Nine, (On the Mysticism of the Fathers)—a besotting and besotted veneration is constantly inculcated towards them.* Many of their

* ‘A devout mind will probably at once acknowledge on which side, in the present question, the *peril of erring* will be greatest. The question

most extravagant absurdities are not merely palliated, but lauded:—even their inimitable vagaries in the way of allegorical interpretation, are seriously recommended to our devout attention; and we are told to enquire whether we have not lost much by renouncing the system which led to them. The tone of reverence, which is every where maintained and enjoined, is evidently designed to perplex the understanding of the ignorant and timid, (an artifice in common use with this School,) and to foster the belief that the Fathers are too *sacred* to be dealt with as merely human authors. No matter how childish, how ludicrous the fancies which provoke our laughter, these writers shake their heads and say, ‘Beware how you despise things that *may* be sacred.’ *

is like that of the general evidences of religion; a person who would go into it *with advantage*, should be imbued *beforehand* with a kind of natural piety, which will cause him to remember all along, that *perhaps when he comes to the end of his enquiry, he will find that God was all the while really there.*’ (Oxford Tracts, No. 89, p. 5.)

* After vindicating the patristic system of allegorical and mystical interpretation as a *system*, and fearlessly justifying it in some of the most extravagant instances—as, for example, in those absurd fancies in which the Fathers persisted in discovering types of the cross and baptism in every mention of *wood* and *water* in the Old Testament—as in the *rods* which Jacob stuck in the *troughs* before Laban’s sheep, or the *staff* with which he passed over the *river* Jordan, or in the *ladder* which he saw in a dream—(on which the Tractist actually makes the following inconceivably silly remark, ‘This example is not irrelevant, since a ladder is part, so to speak, of the furniture of the cross;’)—after all this, pursued at great length and with most edifying solemnity—the writer makes this frank statement,—‘Some examples have been given above: examples purposely selected, many of them, as the likeliest to startle and scandalize a mere modern reader; and something, it is hoped, has been done towards showing, that in those cases, at least, the holy Fathers well knew what they were about (?); that they proceeded in interpreting Scripture on the surest ground—the warrant of Scripture itself in analogous cases.’—(No. 89, p. 40.)

‘But in order to *appreciate rightly* the Fathers’ *reasoning* in such places, we ought, of course, to recollect, that its force lies in the accumulation of instances. It is not necessary that each *anecdote*, taken by itself, should be a complete type of the evangelical truth, at which the sum of the whole points: *e. g.* though a person questioned the *distinct* allusion to any Christian mystery, in the account, taken singly, of Jacob using rods to influence the breed of Laban’s cattle, still it must come in as one among many examples, to show how constantly the Almighty employed that material, which was to be the instrument of redemption, as a conveyance of temporal blessings to his chosen people (!!)’

The author of the Tract in question is even so infatuated as to express his regret that the selections from the Fathers to which the people have been occasionally treated, are such as to give the reader a too favourable opinion of them; that is, that the Editors of such selections have exercised some discretion, and extracted only the better parts of these authors. 'But the very circumstance,' says he, 'of such selections being made with a view to modern prejudices, shows that they can do no more than palliate the evil. When a reader passes from specimens of that kind to the whole body of any Father's writings, he is apt to feel as if he had been unfairly dealt with, and is inclined rather to be the more intolerant of the many things which he is sure to meet with, alien to his former tastes and habits of thought.*' He proceeds, therefore, to expose more freely the (in popular opinion) more questionable 'sayings and doings' of the Fathers; in the hope, no doubt, that the public, on becoming familiarized with, may be enamoured of them; and this Tract, in which so much that is whimsical and delirious in the Fathers is not only apologized for, but cited with applause, may be considered as a sort of tentative experiment—a test of the patience and stupidity of the English people.†

We, too, share in the author's hopes, that the public may no longer be restricted to the more 'select' portions of the Fathers. We differ widely from him in our anticipations of the effect of throwing open the doors of this storehouse of learning. We are convinced that the plain good sense of the English people would immediately resent the attempt to blind and delude them; and reject with abhorrence that idolatry of the Fathers, to which they are invited to degrade themselves. We thank the Oxford divines for having projected and partly executed a 'Library of the Fathers,' and heartily bid them go on. The only thing we fear is, lest they should not give us those unique specimens of madness and folly, which the patristic literature supplies. If they will not, we trust that others will. It will be easy to furnish a 'Supplement' to the 'Library;' and we confidently anti-

* No. 89, p. 8.

† 'It is a subject,' he says, 'which scholars in general have, perhaps, been apt to treat over lightly, not to say profanely; so that, in speaking of it, a person insensibly falls into the apologetic tone; but the more we really come to know and think of it, the more deeply, perhaps, shall we feel, that even that tone is inexcusable presumption, compared with what would become us in making mention of those who come nearest the Apostles, and had, in greatest perfection, the mind of Christ.'—(No. 89, p. 38.)

pate that we shall be able to say of this appeal to the Fathers, what Chillingworth says of a certain argument of his opponent; 'though it may seem to do you great service for the present, yet 'you will repent the time that ever you urged it against us.' We are convinced that nothing more is needed than the indiscriminate exposure of an impartial sample of the works of these unparalleled writers to the popular gaze, to obliterate that feeling of traditional reverence with which they are regarded. The drunken Helots never taught the Spartans a more wholesome lesson of temperance than the inimitable antics of these holy men would teach the present age the folly of deferring to them as our spiritual guides; and still more of investing them under any conditions with the authority of Scripture. It is impossible, however, to help wondering at the insatiation implied in thus throwing open to public gaze the 'treasures' of the Fathers. These writers had better by half adhere to their wiser maxims of 're-serve in the communication of religious knowledge.' But, whatever be the motive, we rejoice at the step they have taken. It will be singular should they in this way become the iconoclasts of their own idols, and, by a sort of righteous retribution, the reformers of their own errors. The task of freely exposing the errors and absurdities of the Ancient Church, has in a certain degree been performed by Mr Taylor in his 'Ancient Christianity,' on which we must here offer a few remarks. The work has more than the author's usual excellences, and fewer of his characteristic defects. There is less of the indistinct haze and magniloquent common-place, which are too often found in his other writings; while the earnestness of controversy has certainly improved his manner—leaving him less leisure for the false glare and *splendida vitia*, which so commonly taint his style. Here, however, as elsewhere, he is often exceedingly prolix: of simple energy, of the art of saying much in few words, he seems to have but a faint idea. But these are small matters; and it is a duty to notice some others which are not trivial. One is the almost offensive egotism by which he has stated his claims to be considered nearly sole champion in this great cause; another is the perilous concessions which, in his first Number, he was induced to make, and which he has since, in almost every page, been compelled virtually to retract. As to the first; it is amusing to find him cutting off first one body of religionists, and then another—some parties in the Church and all out of it—as quite incapable of encountering champions of such redoubted learning, and all but invincible prowess, as the new Knights of Oxford; and then modestly naming himself as one who may be deemed not insufficiently equipped for this glorious adventure. He lays

great stress not only upon his familiarity with patristic literature, but upon his having access to a complete collection of the Fathers! We have no doubt that there are many men, both in the Church and out of it, who have a knowledge of this peculiar species of literature quite sufficient to qualify them to take part in that good work in which Mr Taylor is engaged; and we know that access to the Fathers is not altogether a singular privilege. Whether he has assumed this tone from an unconscious tendency to magnify the importance of cherished and solitary studies, or whether from a desire to impress his readers with a deep conviction of the difficulty of the achievement which he proposed to himself, we know not; and most assuredly we should not have alluded to the topic, were it not that it tends to strengthen the delusion, which the tone of the Oxford Tractists was all along calculated to produce, that they were monopolists of some peculiar sources of information, and that none but persons of the profoundest erudition could be presumed to be in possession even of the data on which to form an opinion of the soundness or unsoundness of their views. This we must be permitted to designate sheer delusion. It is true that patristic literature had been little studied by the mass of educated persons, but it was from an impression (and a correct impression, too) of its general worthlessness. Nor were the data on which that opinion had gradually diffused itself scanty or insufficient. Though the Oxford Tract writers insinuated that that impression was the result of ignorance, and suffered themselves to speak contemptuously of those who had not merely a knowledge of such writers as Chillingworth and Daillé,* but had studied the Fathers quite long enough to convince them that they were not worth studying longer;—though they thought it a sufficient answer to a Whately or a Shuttleworth, to insinuate that they were mere sciolists in patristic literature, because they had been too wise to waste life in reading little or nothing else; yet is it quite certain that every nook of this vast field had been explored again and again, and the results fully given to the world, in works which were written long before Dr Pusey and Mr Newman were born, and which will be read long after they are forgotten. More especially is it true, that, in relation to that dogma of the new School now under consideration, ample materials for forming

* Even Daillé himself does not escape the same sort of depreciation. It is thus the writer of the Tract on 'Mysticism' allows himself to speak of that truly learned man:—'By his skill in rhetorical arrangement, and by a certain *air* of thorough command of his subject, *which he has been very successful in assuming*, he became at once the standard author for all who took that side of the question.'—(No. 89, p. 1.)

a judgment were long since provided in works on the Romish controversy. Daillé was no sciolist; Jeremy Taylor was not, it is presumed, deficient in learning; Chillingworth was no schoolboy; Stillingfleet and Hall were not to be despised;—all these and many others had learning quite equal to that of any of the authors of the Oxford Tracts; and in powers of reasoning and argument, and, we will add, a love of truth, were immeasurably their superiors. Mr Taylor is indeed pleased to say, that ‘Whatever analogies may seem to connect the doctrines of the Oxford Tracts with Popery, the difference between the two is such, as that those must certainly be disappointed who, hastily snatching up the rusty swords and spears of the Reformers, rush, so accounted, upon the Oxford divines.’* But we have no occasion to confute this statement; for the progress of the controversy, and a more correct appreciation of its bearings, have compelled him to confute it himself. ‘By explicit avowals, or implied approbation, or in the mode of delicate allusion, these writers,’ says he, ‘in their various publications, have at length taken to themselves every thing in Romanism which is of earlier date than the close of the fifth century;’† and he further tells us, ‘Romanism, and nothing else, has become the subject of the great argument which the Oxford Tract writers have originated. Candour now scarcely demands that the alleged distinction between the Anglo-Catholic Church system and the faith and worship of the Tridentine Council should any longer be much regarded. This difference, be it what it may, affects no fundamental principle.’‡

We wonder that Mr Taylor did not see this from the first. Though particular points disputed between the Romanists and Protestants are different from those in question between the Anglicans and their opponents, yet the general principles in controversy are the very same; and the great dogma now under consideration—the authority of the Fathers, and the value of Tradition—had often been subjected to the fullest investigation. The vagueness of the rule of Vincentius Lirinensis, and the uncertainty of tradition, are as clearly asserted and demonstrated by Jeremy Taylor, (a writer in some respects fondly claimed by the Oxford school,) as they could be by Isaac Taylor. But further; we affirm that the very same views which Mr Taylor maintains, had in substance been given to the world in works which had no special reference to the Popish contro-

* *Ancient Christianity*, No. 1, p. 18.

† No. 4 p. 5.

‡ No. 3, Vol. ii. 379.

versy. In Mosheim's *History*, and still more in his *De Rebus Christianorum ante Constantinum*,*—a work of the most extensive and searching erudition,—practically the same conclusions are drawn respecting the early and wide-spread corruptions of the Church. None will pretend that Mosheim had not learning, and none but an Oxfordist that he wanted judgment. Precisely the same conclusions are established in the writings (though less calm and impartial) of Jortin, and of Conyers Middleton. But why do we say all this? Merely to dissipate the illusion that the Tractist champions are in possession of some exclusive treasures of knowledge;—an illusion which we think the first Number of Mr Taylor's work would go to confirm. We ridicule the notion that none are competent to form an opinion on the present controversy, unless they have given a 'life-time' (which Mr Newman says it requires) to this species of reading. Any plain man, with the Bible in one hand, and Chillingworth, Daillé, and Mosheim in the other, need not fear to pronounce on the truth of the *principles* asserted by the Anglicans. Is it necessary to read through the Koran and all its commentators in order to pronounce on the claims of Mahomet; or to toil through the absurdities of the Talmud before being qualified to say that the Rabbis are not to be trusted?

But Mr Taylor has also run into a more serious error. He has been pleased to claim a certain indefinite 'authority' for the Fathers; and has suffered himself to speak most strangely of the celebrated maxim, 'that the Bible and the Bible only is the 'religion of Protestants.' What this authority, over and above that which may be yielded to any other human beings, may be, he nowhere distinctly informs us. He asserts that 'divine Providence has connected the later with the earlier Church by a 'link which can never be severed; and which connexion implies 'a general duty of acquainting ourselves with the records of the 'early Church, and of *yielding such a specific deference* to its testimony and judgment as is not to be claimed for the Church of 'any later period.'† Again: he says, 'it has been nothing so 'much as his inconsiderate "Bible alone" outcry, that has given 'modern Popery so long a reprieve in the heart of Protestant 'countries.'‡ He appears to lay much stress on the old fallacy,

* Of a portion of this work, an excellent translation (a little too wordy, perhaps) has been given to the world by Mr Vidal. The first volume appeared in 1813, the third in 1835. We shall be glad to see it completed.

† *Ancient Christianity*, No. 1, p. 46.

‡ *Ibid.* No. 1, p. 56.

that we depend on the Fathers for ascertaining the canon of Scripture itself; and hence would seem to infer that we are in fact dependent on them for a great deal more. Much has been founded on this argument, yet most illogically. We do certainly admit the Fathers to be witnesses to the fact, that in their day such and such books were received as of undoubted apostolical authorship; just as we admit their successors of any succeeding age to be 'witnesses' that they also had the same books. They are witnesses of a 'fact'; and, as they had eyes and ears, we have no reason to distrust them. But we need not enlarge on this subject; and the less, that whatever mysterious and inexplicable authority Mr Taylor may claim for these men beyond that of any other witnesses, he has taken effectual care to dissipate the illusion in the course of his work. In truth, the impression that he must leave on every reader's mind is, that more unsafe guides it is impossible to follow. He expressly says, (and there is much more to the same purpose,)—'in proving them to have grossly perverted the Gospel, and to be amongst the worst guides which the Church can follow, we are driven to the necessity of producing evidence which no motive less imperative would have led us to bring forward.*' In this, and the preceding case, we appeal from Mr Taylor's first thoughts to his second.

We should also probably differ from Mr Taylor in relation to the *date*, extent, and *rate* of progress of certain corruptions; and in some instances cannot but think he has damaged his cause by overstating it. It would also have been as well had he refrained from citing some authorities of doubtful quality; though, as an *argumentum ad hominem*, we do not know what his opponents could fairly reply. He has been assailed, for example, for having made use of Athanasius' 'Life of St Antony;' yet Mr Newman, in his 'Church of the Fathers,' admits its *substantial* authenticity, and deduces from it some most edifying conclusions.

In spite of these, and some minor defects, we cannot but regard Mr Taylor's work as a most valuable contribution to the cause of Scriptural Christianity; and, considering the circumstances under which it was produced, most creditable to his talents, energy, and learning.

The Fathers will receive, and ought to receive, just the degree of respect that we should pay to any other men, and no more; that is, their authority will be in proportion to their knowledge, good sense, freedom from prejudice, honesty, and opportunities of forming a judgment. It may be supposed, indeed,

* No. 5, p. 26.

that the last circumstance, considering their proximity to the Apostolic age, would give them a decided superiority over every other class of writers; but it is very possible that their disadvantages in *other* respects may depress their authority in the greater number of cases below that even of a third-rate student of Scripture of a later age—just as a man with bad eyes may not see an object so clearly at fifty yards, as another with good ones may see it at half a mile. Now, almost all the Fathers had very bad eyes; and, what is worse, they attempted to remedy the defect by still worse spectacles. On this point the reader will find some admirable remarks in Dr Shuttleworth's treatise on Tradition.

The reason of this phenomenon is not far to seek. Many of the Fathers, indeed, were men of unquestionable genius, and of large erudition (such as it was;) and small portions of many of their writings may be read with profit. But they were all more or less tainted—most of them deeply—with the false maxims and pernicious prejudices which characterized their day; and from the influence of which, without being more than human, it was impossible that they could be free. This is no disparagement to their genius or their learning, any more than it is disrespectful to Descartes or Kepler to affirm, that having been early imbued with false principles of science, they constructed theories which we do not feel bound to reverence, because we reverence the *men*. We can separate Descartes from his 'vortices,' and Kepler from his fanciful analogies between the laws of the planetary system and the 'five regular solids.' In like manner we may well despise the *interpretations* of Origen, without despising Origen himself.

That Christianity should be fearfully corrupted, and that at no remote period from its origin, was not only natural, but inevitable, unless a series of perpetual miracles had been wrought to prevent it. Brought suddenly into contact with many systems of false philosophy, and of the most degrading polytheism, and attracting converts from all nations and all ranks, was it likely to be received and retained in its perfect purity? Falling on such a million-sided surface as the humanity of that day, it was impossible that the heavenly light should not undergo all sorts of refractions;—let down into such a pit of mephitic vapours, it was impossible that the lamp of truth should not burn dim. Christianity did much for its converts, doubtless; but it could not, and did not pretend to release them from all their prejudices and ignorance. It was perfectly natural, it was to be expected, that in a thousand cases the *new* principles should

rather enter into combination, according to the ordinary laws of mental affinities, with the *old*—than that they should wholly repel them. The philosopher could not absolutely forego his lifelong speculations, nor the polytheist the habits of an ingrained idolatry; and thus, at a very early period, we find attempts to reconcile the doctrines of Christianity with the speculations of the Oriental and Grecian Schools; and to complicate and corrupt the ritual of the new religion by luckless imitations of that of the old. ‘Such,’ remarks Mr Taylor at the close of an eloquent passage, which we much regret that our limits do not permit us to give entire—‘such were the antagonist principles, in contending with each of which the holy religion of Christ triumphed in each instance, and in each was trampled upon; conquered, and was conquered; diffused light and health, and admitted ‘darkness and corruption.’”

It is thus and thus only that we can account for the rapid corruption of the Christian faith; and the extraordinary facility with which the best of the Fathers admitted the most monstrous extravagancies and the most silly puerilities. We can on *this* ground, indeed, palliate their errors and compassionate their foibles; but to set them up as *guides*, does appear to us the most extraordinary fatuity. Guides! A very moderate *course* of patristic allegories, conceits, visions, legends, miracles, and superstitions—of Barnabas and Hermas, Origen, Tertullian, Jerome, and Ambrose—will be quite sufficient to reclaim any sane mind from such abasement; while, if we were to judge by any *spicilegium* of their errors, collected out of that menstruum of insipidity and commonplace in which they usually float, we should imagine that we had got into the company rather of a set of Bedlamites than of Christian sages; and should be unable to conceive the reason of that reverence with which they are regarded, except on that principle of the ancient Greeks, which connected insanity with inspiration; or that which dictated the custom of the Mahometans, to worship and reverence as saints those who are fairly out of their senses.

And yet these are the men whose authority, when they are tolerably unanimous, is to be considered as co-ordinate with that of Scripture—from whose single opinions we are to dissent with the greatest caution—and to whose *keeping* Divine Providence has committed an unwritten revelation. ‘And so He may have done,’ it is said; ‘for it is not the errors and absurdities of the Fathers

* *Ancient Christianity*, No. 1, p. 129.

‘for which we contend, but the apostolic truths of which they were the depositaries.’ But is there no difficulty in believing that the freight of immortal truth should have been committed to such leaky and rotten vessels?—that God, designing to give a Revelation, would purposely and intimately mix it up with a mass of impure metal, leaving mankind to smelt it as they might? Truly, if this theory be correct, it may well be said, that ‘we have the eternal treasures in earthen vessels!’

This difficulty is still further increased if we consider the *character* of that portion of Revelation for which these men are the vouchers—the *nature* of the dogmas superadded to the Bible. The question is whether the Christianity of the third, fourth, or fifth century is a *development* or a *corruption* of the Scripture system—a natural growth or a cancerous enlargement? We believe the latter; but assuredly nothing could warrant us in believing the former; except the most obvious harmony between the Scriptures themselves and these supposed additions to it. But it is acknowledged that no such obvious harmony is to be found;—that the doctrines contended for are not easily reconciled with the Scriptures—that apart from the patristic authority no one would have suspected them to be there—that there is very much at the least which appears to contradict them—that the tone and spirit in which the relative importance of the several elements of religion are spoken of, appear to be entirely alien. One would imagine, therefore, that nothing less than a Revelation as clear, as express, and as miraculously authenticated as the Scriptures, would be sufficient to justify our reception of these additions. Can we then believe that they would have been committed to such men as the Fathers are proved to be, and mixed up with their acknowledged errors, follies, and superstitions? Ought not this circumstance alone to make us suspect, that the *soi-disant* additions to Revelation are more probably corruptions of it?*

The interval between the Scriptures and the very best of the Fathers is so immense, that not a few have testified that it forms to them the most convincing proofs of the inspired origin of the former; it being, in their judgment, absurd to suppose that any *man*—much less a number of men—could have composed such a volume as the Bible, in an age in which their immediate succes-

* On this subject the reader will find some truly philosophical observations in Mr Taylor's *Ancient Christianity*. Nos. 2 and 3. See particularly p. 180–190.

sors, many of them—possessing undoubted genius and erudition, and having the advantage of their light to walk by, could fall into puerilities so gross, and errors so monstrous. We could sooner believe that Jacob Böhmen could have composed the ‘*Novum Organum*,’ or Thomas Sternhold the ‘*Paradise Lost*.’

But the more intimate this conviction, the deeper ought to be the indignation that any man should attempt to exalt the Fathers, either singly or collectively, to the same level with the Scriptures; or attempt to divide their exclusive and paramount authority with that of a set of men on whose pages are so legibly inscribed the marks of error, absurdity, and fantastic raving.

Yet this has the Oxford Tract School done. It has done more. Without, we hope, designing it, it has, by way of shielding the palpable contradictions and fabulous legends of the Fathers from contempt, suffered itself to speak of the Scriptures in language which cannot but tend to diminish reverence for them, and to give no little advantage to infidelity. In one of the most gratuitously offensive of the Tracts (No. 85,) it is argued that, if the Fathers apparently contradict one another, so do the Scriptures;—if many of their statements are unintelligible and revolting to reason, there are many in the Scriptures which are equally so. And then it is added, that if the Scriptures are nevertheless true, so may the system dependent on the Fathers be true. With the accustomed *suppressio veri*, the writer has carefully concealed two essential points: the first is, that the reason why we receive any apparent contradictions or startling prodigies in the Scripture, is not on account of their *antecedent* probability; but on account of the many and convincing proofs, of an independent character, that the Scripture is of Divine origin. Give us the same evidence for the Fathers, and except where they really contradict one another, (which they do very plentifully,) we will receive them too. The second is, that there is the widest possible difference between the miraculous narratives of Scripture and the idle legends of the Fathers—not less in the *character* of the events themselves, than in the *tone* and *manner* of the writers. These writers have gone yet further. We have seen it recently asserted, that there is as much reason for rejecting the most essential doctrines of Christianity—nay Christianity itself*—as for rejecting their ‘Church principles.’ That, in short, we have as much reason for being infidels as for rejecting the doctrine of Apostolical succession. What other effect such reasoning can have than that of

* *British Critic*, No. 63, Art. II. p. 75, 76.

compelling men to believe that there is nothing between infidelity and Popery, and of urging them to make a selection between the two, we know not. The author of Tract Number Eighty-Five, calls his argument a 'kill-or-cure remedy.' We believe that it will kill in either case. But even in the sense in which the author uses these words, we are persuaded it will 'kill' far more than it will 'cure.' Not a few will say, 'We accept your reasoning; you are a learned man, and we will believe as you say, that you have no more to say in behalf of the Scriptures than in behalf of your Church principles; and as we see that what you have to say for the last is little enough, you will excuse us for rejecting Christianity altogether.' Indeed, we fully expect that, as a reaction of the present extravagances—of the revival of obsolete superstitions—we shall have ere long to fight over again the battle with a modified form of infidelity, as now with a modified form of Popery. Thus, probably, for some time to come, will the human mind continue to oscillate between the extremes of error; but with a diminished arc at each vibration; until the gravitation of eternal truth shall at last prevail, and compel it to repose in the centre.

After all, the greatest enemies of those 'good but greatly erring men,' the Fathers, are their modern idolaters; who, by exaggerating their claims, compel us to prove them unfounded. Most certain is it, that they do not invest either themselves or the church to which they belonged, with the authority which their modern admirers would fain attribute to them;—a point which the reader will find abundantly proved in Mr Goode's ample citations from them. Daillé has a striking passage on this point, from which we extract a single sentence: 'I am firmly of opinion that if these holy men could now behold from the mansions of blessedness . . . what things are done here below, they would be very much offended by the honours which men confer upon them much against their wills . . . or if from out of their sepulchres, where the relics of their mortality are now laid up, they could but make us hear their sacred voice, they would, I am very confident, sharply reprove us for this abuse, and would cry out in the words of Paul, "Sirs, why do ye these things? we also were men of like passions with yourselves!"'

In concluding this part of the subject, we may remark that it is a suspicious circumstance, that the authority of 'tradition' did not maintain the unity of the faith and the integrity of doctrine, to secure which their writers would restore it. No sooner did the ancient Church assume that perfect form to which the Oxford theologians would assimilate the modern, than it degene-

rated into Popery: it no sooner became ripe according to their notions of ripeness, than it became rotten. Of course, we have no difficulty in accounting for the phenomenon; there was continuity in the whole process. That the sun which had long been setting, should go down, and leave darkness behind it, was natural; but how it came to plunge at once from the zenith into the ocean, may well surprise us. Two things, however, are clear. One is, that this marvellous rule of faith is no security at all against corruption; secondly, it appears that, in the only experiment ever made of its efficiency, it instantly ended in it. Its advocates can be consistent only in arguing that Romanism is not a fearful corruption, but, like the Church of the fifth century, still a harmonious development. To this it is coming.

5. We had intended offering some observations on the views propounded by this School on the important subject of 'Justification,' and the related topics. But our space warns us to forbear, and we must content ourselves with referring to the able discussions in the volume by the Bishop of Ohio. Suffice it here to say, that the views in question approximate indefinitely to those of Rome;—at least, if there be any important difference, it depends on the most subtle refinements and the most unintelligible distinctions. Mr Newman's 'Lectures' on the subject form one of the most curious specimens of cloudy metaphysics ever given to the public. Most unfairly is reason dealt with by this School. In general, they dispense with it altogether; when they *do* appeal to it, it is only to mock it with incomprehensible subtleties. Of the two, we decidedly prefer their mysticism to their metaphysics; we had rather be called upon to exercise faith without logic, than be insulted by a logic which can be received only by faith. It at least saves much fruitless effort to understand what we, after all, discover is not to be understood.

6. In addition to all this, many individual writers, and some of the public organs of this School, have put forth a variety of opinions and statements, the general tendency of which cannot be mistaken. They together constitute Romanism, almost perfect in its organs and lineaments, but of Lilliputian dimensions. We shall give them miscellaneously.

The tracts on 'Reserve' openly plead for a method of exhibiting Christianity, or rather a method of *veiling* it, which strongly reminds one of the Romish Church. The writer contends for the ancient *disciplina arcani*, by which the more awful mysteries were 'reserved' for the initiated; but amongst these, with a plenitude of extravagance to which the ancient Church affords no parallel, he includes even the characteristic doctrine of Christianity, and vehemently denounces the 'explicit' and 'prominent' exhibi-

bition of the Atonement.* He casts high scorn on all the present 'utilitarian' methods of doing good—on cheap churches and cheap Bibles. He disapproves of the attempt to bring the church to every man's door; and seems to think that an empty church, provided it cost enough and the services be sufficiently magnificent, will, by a sort of *opus operatum* be of 'incalculable efficacy.'† In open defiance of the command to 'preach the gospel to every creature,' and to proclaim the truth 'whether men will hear or whether they will forbear;' in equal defiance of the Apostles themselves—he assures us that it is an awful thing to make known the gospel to those who are ignorant of it, lest we involve them in deeper condemnation.‡ We must not give a Bible, we presume, unless we are beforehand guaranteed that it will be rightly used; a plan very much like that 'utilitarian'

* No. 80. '*Sect. 5. On the necessity of bringing forward the doctrine of the Atonement.*'—Its 'explicit and prominent' exhibition 'is evidently quite opposed to what we consider the teaching of Scripture, nor do we find any sanction for it in the gospels. If the Epistles of St Paul appear to favour it, it is only at first sight.' 'In all things it would appear that this doctrine, so far from its being what is supposed, is in fact the very secret of the Lord, which Solomon says "is with the righteous," and "the covenant" not to be lightly spoken of by man, but which He will show to them that fear him'

† 'For if the erection of churches, which from commodiousness and easiness of access are to invite, and from their *little cost* partake more of a low contriving expediency than of a generous love of God, is to do the work of religion, then is it more easy to win souls than Scripture will warrant us in supposing;' and he adds 'that we have to fear lest, rather than doing good, we be breaking that holy law which hath commanded that we give not that which is holy to the dogs'—(P. 69.)

'The effect of the Church as a witness, though in a manner silent and out of sight, is something very great and incalculable, of which I would adduce the following instance. Before the Reformation the Church recognized the seven hours of prayer. However these may have been practically neglected, or hidden in an unknown tongue, there is no estimating what influence this may have had on common people's minds secretly.'—(P. 73.)

‡ 'Much of what is here said may be applied to an indiscriminate distribution of Bibles and religious publications. We must not expect that the work which occasioned our Saviour and his disciples so much pains, can be done by such means. We have rather to look with awe on these new dealings of Providence with mankind. . . . 'That the unprepared cannot receive the "truth," is the appointment of God; but our attempting to act contrary to his mode of acting may be productive of evil.'—(P. 70.)

benevolence which buttons up its pockets, and will not bestow a farthing till quite sure that the 'object is worthy.' The utilitarian thus reserves his money as the writer of the Tract would reserve his Bibles. Alas! for St Paul and his ignorant colleagues; we fear they must have incurred much guilt, and occasioned much, by proclaiming the gospel without sufficiently considering whether it would be rightly received or not. They seem to have been but poorly provided with the doctrine of 'reserve;' or, if they had it, they assuredly 'reserved' it. It is evidently also the opinion of this writer, that it is better to leave the heathen in utter darkness than attempt their conversion by any 'unauthorized' methods or irregular zeal. Men had better, one would suppose, die of their spiritual maladies than be cured empirically—had better not go to heaven at all than go there by any other route than the *Via Media*. But to proceed to other facts.

After stating the early or original opinion respecting Purgatory, the writer of the tract professedly *against* the Romish doctrine says, 'taken in the mere letter there is little in it against 'which we shall be able to sustain formal objections.'

Prayers for the dead are openly justified. The practice, says Mr Newman, 'is Catholic, and apparently Apostolical.'

While the Tracts on 'reserve' advocate a very cautious and measured communication of religious truth, a sort of compensation is to be given in the shape of multiplied symbols. It is but the exchange of one sort of instruction for another, and effects a great economy of time, breath, and labour. As the philosophic exile found

'Sermons in stones and good in every thing,'

so the stupid rustic is to study celestial wisdom in a system of symbols; though, as all history proves, he is more likely to learn superstition than religion from them. If the 'Priests' are to be in a measure 'dumb'—*n'importe*, for the very 'stones in the wall' are to 'cry out,' emblazoned as they are to be with the characters of a hieroglyphical religion. A Journal devoted to the sect, has given us its views on the subject in an article on 'The Church Service.' We there find the cross called a 'sacramental sign'—'a holy efficacious symbol.' Yet, with the exquisite prudery of the new doctrine of 'reserve,' the writer does not approve of the *crucifix* in churches. 'Doubtless,' the reader will say, 'because it is 'so easily abused to superstition.' No such thing. 'We are no advocates of the crucifix, at all events in the *open way* in which it is 'commonly exhibited abroad. Even pictures of the same solemn subject strike us as irreverent, and should at least be always veiled. And we would not hazard an unqualified objection even against the crucifix as an object for very private contemplation,

‘under certain trying circumstances; say, for instance, a surgical operation. The crucifix openly exhibited, produces the same sort of uncomfortable feeling with certain Protestant exposures; in preaching the mystery it represents.’ But with equal refinement, the writer highly approves of the *image* of the cross, and he hopes the time will come—golden age!—‘when no English church will want what many possess already, the image of the cross, in some place sufficiently conspicuous to assist the devotions of the worshipper. Let us multiply the same holy and efficacious emblem far and wide. There is no saying how many sins its awful form might scare, and how many evils avert.’* ‘With the cross,’ proceeds the writer, ‘should be associated other Catholic symbols, still more than itself παντα σουετοις. For these, painted windows seem to furnish a suitable place. They should at all events be confined to the most sacred portion of the building. Such are the lamb with the standard; the descending dove; the anchor; the triangle; the pelican; the Ιχθυσ (fish), and others. Perhaps the two or three last mentioned, as being of most recondite meaning, should be adopted later than the rest.’ To these the writer is prepared to add more, when the right time shall come. For ourselves we doubt whether, in our present state of deplorable spiritual ignorance, the anchor and the triangle may not prove too much for us.

In the same spirit, this writer laments the absence of anointing at Baptism and Confirmation, as the ‘loss of a privilege;’ and rejoices in the perpetuation of the custom in the coronation service, as nothing less than an ‘example of providential care over the Church.’ Can superstition go further? He elsewhere tells us that there should be ‘more special decorations of the church on Festival Days; altar coverings and pulpit hangings of unusual richness; or the natural flowers of the season, woven into wreaths, or placed according to primitive custom on the altar. These should be chosen with especial reference to the subject of the Festival.’ ‘White flowers,’ proceeds he with infinite gravity, ‘are most proper on the days consecrated to the Virgin, as emblematic of sinless purity; purple or crimson upon the several saints’ days, (except St John the Evangelist, and perhaps St Luke,) to signify the blood of martyrdom; and on All Saints’ days and the Holy Innocents, white should be intermingled as a memorial of Virgin innocence.’ ‘We deprecate,’ proceeds this exquisite spiritualist, ‘forced flowers, which look artificial; but we believe that, with a

'*little management*, natural flowers of the proper colours may be found throughout the year. It is *difficult to conceive* a more suitable occupation for the Christian population than that of cultivating flowers for such a purpose, and afterwards arranging them.' Thus the practice would be in equal degree an encouragement to piety and market gardening.

Neither are the chandlers forgotten: 'two lights should be placed upon the altar.' 'These,' he thinks, 'should be lighted, else they do not *so well* signify the truth, *Christus lux mundi*.' Truly we think they but indifferently express this truth, whether lighted or not; but he does not press this point, though disposed to think it 'truly Anglican.'

When we consider not only the number and variety of these proposed 'embellishments,' but the importance attached to them, and the solemn tone in which they are spoken of, it is impossible to doubt ~~whither~~ we are tending. If the views of such writers prevail, they must lead to an entire subordination of what is spiritual to what is ceremonial—and religion will degenerate into abject superstition. No wonder that the country is infested by not a few young 'priests,' raving about *their* apostolic succession; founding the most absurd pretensions on their mere sacerdotal character, though backed neither by experience nor wisdom; boasting of the thaumaturgic powers they can exert in the administration of the sacraments; contending, not for the faith once delivered to the Saints, but for wax candles, altar cloths, chaplets, crosses, crucifixes, and mummery of all kinds;—at the same time, modestly consigning all Protestants out of the Episcopal pale, either to perdition or the 'uncovenanted mercies;' in a word, exhibiting zeal indeed, but zeal that is utterly unacquainted with any other of the Christian graces—zeal that is not even on speaking terms with knowledge, faith, or charity.

The Bishop of London, we regret to say, in his recent 'Charge,' has done not a little to fan the zeal in behalf of ceremonial. Though in great part condemning the Oxford Tractists, and severely reprobating their most dangerous innovations, he yet gives such space and importance to certain trumpery matters of ritual, that we are not surprised his 'Charge' should have been claimed on the whole as a triumph by the Oxford party. If we have been rightly informed, his Lordship has expressed his displeasure that what he designed as a condemnation of that party, should have been so misconceived. He is the only person, we suspect, who will feel any surprise on the subject. When we see him expressing such anxiety that the Rubric should be closely adhered to—laying so much stress on the merest trifles—more severely censuring those who do not punctiliously keep

to the Rubric, even in points virtually obsolete, than those who make *unauthorized* additions to it—discussing with so much gravity matters of pulpit etiquette and clerical costume—expressing his wish that all his clergy should preach in *white*, though it appears he had enjoined those of Chester to preach in *black*—affirming that he sees ‘no harm’ in the two wax candles, *provided*, strange reasoning! they are *not* lighted—sagely declaring his approval ‘of the arrangement lately adopted in several churches, ‘by which the clergyman looks to the *south* while reading prayers, ‘and to the *west* while reading lessons’—it is impossible not to regard him as too nearly allied in spirit to those whom he condemns. We sincerely thank him, however, for his unequivocal censure of the most comprehensive and poisonous errors of the Tractists, and shall not ungraciously ask whether it might not have come sooner.

But to resume. Not less significant is the altered tone in which these writers speak of those errors of Popery, which they still admit to be such. There is as great a difference between *their* tone and that of the Reformers, as between the playful tap of a coquette’s fan and the vigorous stroke of a boatswain’s lash. The invocation of saints, these writers content themselves with calling ‘a *dangerous* practice, as tending to give, often actually ‘giving, to creatures the honour and reliance due to the Creator ‘alone.’ Of the worship of images, which they soften into ‘honour paid to images,’ they say only that ‘it is dangerous ‘in the uneducated, that is, of the great part of Christians.’ Yet they profess to be following Bishop Hall. The Bishop of Exeter truly remarks, that Bishop Hall calls the first of these practices ‘a foul superstition;’ and of the second, says, ‘not ‘merely that it is dangerous to *some*, but *sinful* in all.’ One of these writers elsewhere calls these and other things ‘uncatholic ‘peculiarities.’ But other and more recent writers have gone further, and almost adopted an apologetic tone. The *British Critic*, after having described some of the most childish and absurd superstitions of the middle ages—implying the grossest idolatry—merely remarks—‘Much there was which sober piety cannot sanction; ‘but let us not forget what was holy and religious on account of ‘*incidental* corruptions.’ As well might a polite physician assure some patient crusted over with leprosy, that he feared he was labouring under a slight cutaneous eruption!

Equally significant are the approximations to Romish usages and practices in other instances. The Tracts recommend to private Christians the dedication of particular days to the religious commemoration of deceased Saints; and have furnished a model service in honour of Bishop Ken, after the pattern of an

office in the breviary of a Roman saint. The Journalist just quoted goes further, and is evidently inclined to think that the Saints know of our prayers, and sensibly feel the compliment of commemorations. 'Days and places,' says the writer, 'specially dedicated to the saints, are means to us of communion with them. They not only remind us of them, and lead us to contemplate their lives, *but they give us a special interest in the prayers which those blessed spirits offer up day and night before the throne.*' *

Many of this School are in ecstasies with the riches of the Romish and Parisian Breviaries. They have also for several years past furnished their followers with an 'Ecclesiastical Almanac,' in which the minute rules of the Romish Church are quoted, as a guide to individuals. Some of them openly plead for the restoration of Monasticism; and others have not obscurely expressed their predilections for the celibacy of the clergy. The Reformation, as already mentioned, is spoken of as all but a fearful judgment: we are told that the '*unprotestantizing* of the National Church' is an object well worth all the hazard and bitterness which may attend the attempt; that 'we must recede more and more from the principles, *if any such there be*, of the English Reformation.' † Mr Fronde's too famous exclamation is adopted by not a few—'Really, I hate the Reformers and the Reformation more and more!' In perfect accordance with all this, the Revolution of 1688 is called 'rebellion;' while, as we have recently seen, some have put the capstone on the whole system, by expressly denying the Right of Private Judgment, and vindicating the maxims and practices of persecution.

We must now notice some of the general characteristics and tendencies of this school.

1. It is a very suspicious circumstance, that the whole system tends to the increase of the power and glory of the EPISCOPAL CLERGY. This is the case with the principal doctrines themselves,—apostolical succession, the thaumaturgic efficacy of the sacraments as exclusively administered by *them*, the restriction of the name and privileges of the 'Church' to the communities in which *they* exercise their functions. The same result may be calculated upon, in proportion as Christianity is transmuted into a religion of rites and symbols. As such rites and symbols become the objects of awful veneration and superstitious dependence, (as they are sure to do, conjoined with the convenient

* Oct. 1842.

† *Br. Cr.*, No. lix. p. 45.

system of 'reserve,' and the inculcation of an 'implicit faith,') the people will look to the hierophants who perform, or exhibit them, as the very arbiters of their eternal destiny.

Such a tendency is further fostered by the blind, unquestioning acquiescence in the Priests' *dicta* which these writers so strongly enjoin. Their deluded victims will do well to remember the old and quaint saying, that 'though they may believe 'by proxy, they must be damned in person.'

The same general tendency is observable, if we consider how earnestly—almost exclusively—these doctrines are insisted upon by the writers of this School. Marvellous, indeed, is the difference in this respect between the Apostles and these *successors* of the Apostles. The former are intent—almost exclusively intent—on those great themes which render the gospel 'glad tidings;' the latter, almost as exclusively, in magnifying their office:—the former absolutely forget themselves in their flocks; the latter wellnigh forget their flocks in themselves:—the former, if they touch on the clerical office at all, are principally intent on its spiritual qualifications and duties; the latter on its prerogatives and powers.* To hear these men talk, one would imagine that by a similar ὁστέρον πρότερον with that of the simple-minded monk, who 'devoutly thanked God that in his wisdom he had always 'placed large rivers near large towns,' they supposed the Church of Christ to be created for the sole use of the clergy; and the doctrine of 'apostolical succession' to be the *final cause* of Christianity.

The tendency in question is most suspicious; but we are far from charging the chief founders of this School with the sordid aims of priestcraft; although we cannot help thinking, that with many of their followers an *unconscious* bias in this direction affords the true solution of their conduct. Some of them, we fear, are not altogether unconscious of the bias.

2. The next characteristic of the system is, that it tends to rob Christianity of its chief glory as a spiritual and moral institute, and to render it a system of mere formalism—to substitute for the worship founded on intelligent faith, a devotion which is a species of mechanism, and rites which operate as by magic. The doctrine of Apostolical succession itself is neither more nor less respectable than that of the hereditary sanctity of the Brahminical caste; while the prayer-mills of the Tartars afford a fair illustration of the doctrine of sacramental efficacy. The stress

* The first volume of the Oxford Tracts contains no less than eight distinct papers on 'apostolical succession' alone.

laid on rites and symbols, and outward observances, and the attempt indefinitely to multiply them, tend the same way. It is true, that as religion appeals to every part of man's complex nature, rites and symbols have their use, and are not to be neglected. Still, whether they be beneficial or not, will entirely depend on the place they hold in the system. The Divine Founder of Christianity, as if in wise jealousy of a tendency which may be so easily abused, has confined the ceremonial of his religion within the straitest limits: while no element of our nature which can be subordinated to religious use is wholly neglected, each is appealed to only in the precise degree in which it can be rendered tributary to the great object. Would that all who have taught this religion had taken this significant intimation of superhuman wisdom as their guide! As the history of all corrupt religions shows, nothing is more difficult than to prevent the material from corrupting the spiritual—the senses and the imagination from assuming an undue influence. Let the balance be destroyed, and the ritual and symbolical is immediately substituted for religious sentiment and emotion. Let rites and symbols be multiplied—perpetually insisted upon—made unduly prominent—and spiritual truth will be forgotten; they produce an effect on the great doctrines which they are professedly employed to illustrate, analogous with that which a minute system of casuistry produces on our views of morality. Let but the great principles of a noble and ennobling system of Ethics be sincerely received, and human nature may be safely left to determine the modes in which they are to be applied in particular cases; it will choose to take counsel of what is great, generous, and magnanimous, rather than ask just how much is scrupulously lawful. But let the casuist come with his scale and weights, or his foot-rule, and determine within how many grains an action is of being strictly unlawful, or how far, to an inch, we may proceed in a certain direction without committing crime;—under what circumstances a man may consider himself not absolutely compelled to do what his noblest instincts tell him he ought to do, and in what way he may obey the letter of a law and violate its spirit; and the essence of morality is gone—it is well if even the *form* be retained. It is much the same with Religion and its ritual. Let but the great doctrines be fully and adequately received, and little need be said on the ritual; it will adjust itself. But if a man be taught (especially after acquiescing in the doctrine of 'reserve,' and being told that an implicit faith will answer the purpose very well) to gaze in stupid wonder on an exhibition of rites and symbols, whether it be on the gorgeous and solid magnificence of the Romish Church, or the mimic gilt and tinsel of our Puseyites—

let him be taught to make much of wax-candles burnt at noon-day—the cross or the crucifix—painted windows—garlands of flowers, triangles, and fishes—vestments, black and white—pulpit-bangings and altar-cloths—postures and attitudes—and his religion stands a chance of being about as much worth as that of him who was thus praised by Dr Johnson: ‘He never passes a church without pulling off his hat—this shows he has good principles.’ Let his attention be principally or much directed to these things, and the process of degeneracy is inevitable. It was so with the ancient Church, which we are now so earnestly exhorted to take as our model. No one can read the writings of the Fathers without feeling that they gradually became more intent on the circumstantialia of religion than on the essence of it; more solicitous about the modes in which religious duties should be performed, than about the spirit of them. It is all over with religion when this is the case. The process of corruption is soon complete. The next thing is to count our prayers—to measure the value of devotions solely by their frequency, their length by the dial, or their number by the beads—to consider that if a man is holy who says a hundred prayers a-day, he is twice as holy who says two hundred; and that if he who fasts four-and-twenty hours has some merit, he who fasts eight-and-forty has twice as much.

3. Another signal characteristic of this School is its disposition to vilify and traduce *reason*. They do well to hate it; for, as Hobbes well said, ‘when reason is against a man, a man will be against reason.’ Reason, they feel, is their implacable foe, and blinded indeed it must be before it will admit their pretensions. ‘My Lord Understanding’s house,’ says John Bunyan, ‘was too light for the Prince of Darkness, and he therefore built a high wall to darken all the windows.’

In inviting us to lay down our reason, they remind us of the wolf who counselled the sheep to get rid of their watch-dogs. Their constant plan is to inveigh against the sin of ‘rationalism,’ as they call it, in relation to the ‘mysteries,’ of religion—by which they mean any tendency to question *their* dogmas. They thus avail themselves both of the prejudice against the first term, and of the awe inspired by the second. That there are ‘mysteries’ both in philosophy and religion about which it is irrational to speculate, is true; but we receive them, though not on intrinsic, yet on *sufficient* evidence; and reason, is still the judge as to whether that evidence be sufficient to justify their reception, though it be not able to speculate on the mysteries themselves. The existence of God is a great mystery; but if we do not admit it, we must admit manifold contradictions and absurdities:—the permission of evil is a great mystery; but it would do

us no good to deny its existence as a matter of fact :—Christianity is itself full of mystery ; but we receive it on proofs so manifold and various, that we feel it impossible to resist them. Give us similar reasons for believing ‘ apostolical succession,’ and we faithfully promise that it is not its being a *mystery* that shall startle us. But to hoodwink our reason, and receive any absurdity without examination, because some piece of solemn inanity shakes his head, and assures us it is *too awful* to reason about, is not to be tolerated. Yet this is the continual artifice employed to protect ‘ Church principles,’ and imposes, we have no doubt, upon thousands. We have already adduced some remarkable specimens of this species of logical artifice. ‘ Beware how ‘ you rationalize on these great truths,’ is the constant cry—‘ how ‘ much better is it to obey than to speculate—to believe than to reason!’ A plain understanding would say—‘ Both very well in ‘ their place, reverend sir ; what God hath joined together let ‘ no man put asunder : I think it better to believe than to reason, ‘ when I have reason to believe that God has spoken ; I think it ‘ better to reason than to believe, when I have reason to believe ‘ that it is only Dr Pusey or Mr Newman.’ In fact this artifice is itself the highest insult to reason, since it involves a quiet assumption of the whole question in dispute—namely, whether the mysteries of the Oxford Tract School are supported by the evidence which proves that they are worthy of being believed *in spite* of their transcendental character. Of course the Papist uses the same plea for his transubstantiation. Doubtless even the Egyptian priest of ancient times often used the same plea, when he had to defend the divinity of ‘ cats and onions’ against the rationalists of those days, at whom he would unquestionably shake his head, and tell them how superior after all was faith to logic ! About as reasonable is the defence which the Oxford writers employ, and about as reasonable the dogmas for which it is resorted to. ‘ The first principle, or universal axiom,’ says Mr Taylor, ‘ of the modern revivers of Church principles, is the abjuration ‘ of that integrity of reason to which the inspired writers always ‘ appeal, and of which they enjoin the exercise and culture. ‘ * * * To doubt is a sin. To adduce evidence, given in ‘ relation to common facts of history, and to judge of it according to the common rules of historical enquiry, is to be a “ rationalist.” To distrust the pretensions of St Dunstan, or the ‘ genuineness of the “ True Cross,” is an offence as grievous as ‘ to reject the Trinity ; both are *disobedience*.’ *

4. Amongst other characteristics which belong to these writers

in common with the Romish Church, we must reluctantly include a tendency to the use of 'pious frauds.' Let not the reader be startled. We do not charge them with such wholesale forgeries, such magnificent crimes, as those which were perpetrated and justified by some of their venerated Fathers. As their whole system is Romanism in miniature, so is it in this respect also. They do not, as the ancients did, write books, and inscribe them at once with some venerable name to make them pass current. They do not draw a bill of doctrines, and indorse it with the name of Cranmer, Ridley, or Hooker. Neither do we charge them with actual interpolations of ancient works. Such things cannot well be managed in these days of 'unreserved 'communication of knowledge.' There is as much difference in point of audacity between the 'pious frauds' of ancient days and the humble imitations of Oxford, as between open burglary and petty larceny—between forgery on a large scale and passing a bad sixpence. But with the little arts of fraudulent misrepresentation, they do in our judgment stand chargeable. They are well skilled, as Mr Taylor expresses it, 'in packing their 'evidence,' and 'in schooling their witnesses.' They can leave out, if they do not put in—insulate a plausible sentence or two from a qualifying or refractory context, and manage commas and colons to admiration. Some ingenious examples of this literary *joinery* may be found in M'Ilvaine's work, (p. 232.) For instance, they cite a passage from the Homilies, which appears not unfriendly to a doctrine they affirm; but on reference to the original, it is found that they have taken only the *beginning* and *end* of the paragraph, the intermediate part which they have *omitted*, being altogether *against it*; but no breaks—asterisks—dots—or other indications—are employed, to suggest that there has been any solution 'of continuity' in the citation; on the contrary, the *disjecta membra* are represented as so immediately connected, that they are separated only by a semicolon! Similar traces of unfairness are most conspicuous in their construction of those curious things they call the *Catenæ Patrum*, by which they attempted to prove something like a catholic consent of 'testimony, on the part of the writers in the later 'English Church,' to their peculiar doctrines. Some of these citations are absolutely nothing to the purpose; others most vague and indistinct; others, rent from their context, are made to convey a meaning never designed by their authors; others may be confronted by citations from the very same writers equally or more explicit the other way; while the many divines of opposing sentiments are passed by altogether. Such is the argument from *consent*. On the same principles it would be the

easiest thing in the world to construct a *Catena* on the *other* side—and in fact we have seen more than one equally conclusive. But we need say no more on this point, Mr Goode having so effectually exposed the attempt that even his reviewer now abandons it. ‘In whatever way,’ says Mr Goode, ‘we may be enabled to account for it, certain it is *that truth has been sacrificed*, and the authority of great names pleaded in behalf of a system ‘in no respect entitled to such protection.’

Of the unscrupulous use by these writers of the vulgarest arts of sophistry, we need say nothing. Enormous examples of *petitio principii*, *suppressio veri*, and almost every other species of logical delinquency, have been given in preceding articles, or in the present. But examples of all will be found in Number Ninety itself; that singular monument—not *vere perennius* certainly, for it is ‘brass’ itself—of logical pettifogging.

We question, however, whether these writers have not derived still more service from that obscure, imposing, and truly Delphic style, of which, as Archbishop Whately says, the ‘effect is to convey at first to ordinary readers a striking impression, with an appearance of being perfectly intelligible at the first glance, but to become more obscure and doubtful at the second glance, and more and more so, the more attentively it is studied by a reader of clear understanding; so as to leave him utterly in doubt, at the last, which of several meanings it is meant to convey, or whether any at all.’ * * * This is especially the case with the tracts on ‘Reserve’ and ‘Mysticism,’ of which it may be truly said that they seem to have been written after preferring, and obtaining, a plenary answer to that prayer—

‘Of darkness visible so much be lent,
As half to show—half veil the deep intent.’

The one writer is most ‘reserved on reserve,’ and the other most ‘mystical on mysticism.’ Seldom is any thing said plainly and absolutely, but with a perpetually tortuous and guarded expression. Scarcely two sentences are found together without a ‘so to speak,’ or ‘as it were,’ or ‘if so be,’ or ‘it may be after a certain secret manner,’ &c. Thus, endeavouring to prove our Lord’s systematic concealment of his miracles, the writer on ‘reserve’ says of the feeding of the five thousand, ‘even here it would appear as if there was *somehow* a sort of *secret* character about the miracle.’ Another specimen. ‘Notwithstanding that a spirit of true charity has a natural desire to communicate itself, and is of all things the most expansive and extending, yet in all such cases [of good men] we may still perceive the indwelling of Christ in them, still seeking, *as it were*, to hide him-

‘self; for I think they are all marked by an inclination, as far as it is possible, of retiring and shrinking from public view.’ ‘The Fathers,’ he tells us, ‘suppose that our blessed Lord is, *as it were*, throughout the inspired writings, hiding and concealing himself, and going about (*if I may so speak reverently*) seeking to whom he may disclose himself.’ There are numberless passages of this kind, which may mean any thing the interpreter is pleased to imagine; although in reality they contain nothing but very pious-sounding nonsense, which would have been quite in character in Jacob Böhmen or Emanuel Swedenborg.

Thus, ‘so to speak,’ and ‘as it were,’ the author often seems to say *something*, when in reality, and without any ‘so to speak’ or ‘as it were,’ he says *nothing*. His style perpetually reminds us of Bardolph’s explanation of the word *accommodated*. ‘Accommodated; that is, when a man is, as they say, accommodated; or, when a man is—being—whereby—he may be thought to be accommodated; which is an excellent thing.’

Should any be disposed to charge us with treating grave subjects over-lightly, we have to reply, *first*, that we sincerely believe that this is just one of those cases in which the maxim of Horace applies,

‘Ridiculum acri

Fortius et melius magnas plerumque secat res;’

secondly, that we recommend the objectors to a careful perusal of the Eleventh of Pascal’s *Lettres Provinciales*, in which he shows, *Qu’on peut réfuter par des railleries les erreurs ridicules*; *thirdly*, that amongst the Christian privileges of which our opponents would deprive us, we trust they do not intend to include what Ben Jonson calls our ‘Christian liberty of laughing’ at what is laughable; *fourthly*, that if they would have us repress our mirth, it must be by exhibiting a system of doctrines less irresistibly comic; and *lastly*, that we are perfectly aware that the artifice of inculcating ‘an awful and reverential manner’ of treating absurdities such as those on which we have animadverted, is the approved receipt, as the history of all superstition shows, of sanctifying, in the estimation of the timid and the credulous, the most enormous deviations from truth and common sense. Nor is it amongst the least causes of the disgust we have felt in perusing the writings of this School, that their authors, even while propounding doctrines which are equally insulting to the Bible and to human reason, and defending them by methods which are disgraceful to morality, have yet been able to maintain that sanctimonious air, that pious gravity, which distinguish certain writers of the school of Loyola.

We must not conclude without pointing out to the reader the

works which, in our judgment, furnish the best confutation of the tenets of the Oxford School. These are, Archbishop Whately's *Essays on the Kingdom of Christ*, (a truly admirable work;) Goode's *Rule of Faith*, which is learned and full; M'Ilvaine's *Rome and Oxford*, and Taylor's *Ancient Christianity*—of both of which we have already spoken; and Mr Lindsay Alexander's learned and able work, just published, entitled *Anglo-Catholicism not Apostolical*.

Meantime we await the progress and issue of the great contest without apprehension. Terrible as are these hurricanes of controversy, pernicious as may be their immediate effects on the faith of some and the temper of many—they serve from time to time to purify the atmosphere, and render it salubrious. Let us but be true to ourselves, and we have no fear lest we should be 're-involved,' to use the strong language of Milton, 'in that pitchy cloud of infernal darkness, in which we shall never more see the sun of Divine Truth again, never hope for the cheerful dawn, never more hear the bird of morning sing.'

Let us never forget that Christianity was planted, and has grown up, in storms. Discussion is always favourable to it, and has ever been so. Let the wintry blast come. It will but scatter the sere leaves, and snap off the withered branches; the giant tree will only strike its roots deeper into the soil, and in the coming spring-time put forth a richer foliage and extend a more grateful shade.

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NOTE to the Article on Photogenic Drawing. •

IN our Article on this subject, published in No. 154, we stated (p. 327) ‘ that Mr Henry Collen, a distinguished miniature-painter, has quitted his own beautiful art and devoted his ‘ whole time to the Calotype process.’

Although this statement is quite correct, yet, as Mr Collen practises the art of Calotyping only under a *temporary* privilege from the patentee ; and as, even now that he has overcome its difficulties, it may occupy only a portion of his time, we are desirous that our readers may not infer from our statement any thing more than it really indicates,—namely, that Mr Collen had only *temporarily* devoted himself to the new art.

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